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*Acton d. 8. 72.*  
STATE

*John* OF THE *Harris*  
Protestants

*Of James Bradys*  
IRELAND

Under the Late  
King James's Government:

IN WHICH

Their Carriage towards him is justified, and the  
absolute Necessity of their endeavouring to be  
freed from his Government, and of submitting  
to Their present Majesties is demonstrated.

*The Fourth Edition, with Additions.*

LONDON:

Printed by Samuel Roycroft, for Robert Clavell, at the  
Peacock at the West-end of S. Pauls. 1692.

*Mary Osborne 187*



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1781-60

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# HEADS

## OF THE

# DISCOURSE.

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The S T A T E of the  
**PROTESTANTS**  
O F  
**IRELAND**

U N D E R T H E  
Late King *James's* Government ;  
I N W H I C H

Their Carriage towards him is justified, and the absolute Necessity of their endeavouring to be freed from his Government, and of submitting to their present Majesties is demonstrated.

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I N T R O D U C T I O N .

*Containing an Explication of the Doctrin of Passive-Obedience, and stating the true Notion and Latitude of it.*

1. **I**T is granted by some of the highest Assertors of Passive Obedience, That if a King design to root out a People, or destroy one main part of his Subjects in favour of another whom he loves better, that they may prevent it even by opposing him with Force ;  
and



and that he is to be judged in such a case to have Abdicated the Government of those whom he designs to destroy contrary to Justice and the Laws. This is *Grotius's* Opinion in his Book *De jure Belli & Pacis*, lib. 1.

*Ait idem Barclaius* amitti regnum si Rex vere hostili animo in totius populi exitum feratur; quod concedo: Consistere enim simul non possunt voluntas imperandi & voluntas perdendi: quare qui se hostem populi totius proficitur, is eo ipso abdicat regnum: sed vix videtur id accidere posse in regementis compote, qui uni populo imperet: quod si pluribus populis imperet, accidere potest ut unius populi in gratiam alterum vult perditum.

cap. 4 §. 11. where citing *Barclay*, he says, *If a King be carried with a malicious design to the destruction of a whole Nation, he loses his Kingdom; which I grant, since a Will to Govern and to Destroy cannot consist together; therefore he who professes himself an Enemy to a whole People, doth in that very act abdicate his Kingdom: But it seems hardly possible, that this should enter into the heart of a King who is not mad, if he govern only one People; but if he govern many, it may happen, That in favour of one People he may desire the other were destroyed.*

*Doctor Hammond* asserts Passive Obedience as high as any, yet he approves this Passage of *Grotius*, and of *Barclay*, in his Vindication of Christ's reprehending *S. Peter*, from the Exceptions of *Mr. Marshal* (p. 327. of his First Volume;) *Grotius*, saith he, mentions some cases wherein a King may be resisted. As in case a King shall Abdicate his Kingdom, and manifestly relinquish his Power; then he turns private Man, and may be dealt with as any other such. And some other the like.

2. And it is observable, that generally in all Books and Sermons concerning Obedience to Governours, where this case is put, Suppose a King endeavour to destroy his People, there are only two Answers given to it, One is, That his Officers and Ministers ought not to obey him; if they do, the Law will punish them. The other is, that this case ought not to be put; That we ought not to suppose that any King will designedly endeavour to destroy his People: Nay, the Author of *Jovian* will not allow

allow us to suppose; that any King will attempt in England, to Govern altogether by Arbitrary Power and the Sword. For, says he, Chap. 12. p. 272. To suppose this, is plainly to suppose the utmost Impossibility; and p. 273. If a King should shut up the Courts, obstruct or pervert Justice, he allows that all his good Subjects, and all the bad too that tendered their own safety, would desert him; and Chap. 6. p. 152. he says, He should be tempted to pray for the destruction of such a Prince, as the only means of delivering the Church. Falkner, in his *Christian Loyalty*, (B. 2. Chap. 5. N. 19, 20.) tells us, But if ever any such strange case as is supposed should really happen, I confess it would have its great difficulties. He brings in Grotius, *De jure Belli & Pacis*, lib. 1. cap. 4. N. 7. And Bishop Bilson's *Christian Subjection*, Part 3. p. 519. edit. 1585. as allowing it, and seems to allow their Judgment in the case; but then tells us, That the Case above mentioned, ought not at all to be supposed, or taken into consideration. All which plainly grants, That if a King do in earnest design the destruction of his Subjects, and get Ministers and Officers to concur with him in it, who are ready to execute his wicked Intentions, and against whom the Law yields no Protection; that in such a case the Subjects may desert their Prince, decline his Government and Service, and seek Protection where they can find it.

3. And indeed, whoever considers the Discourses that have been written concerning *Non-resistance*, will find that the Reasons given for it, either from the nature of the Thing or Scripture, reach only tolerable Evils, and prove, that a man ought to be patient under pressures laid on him by his Governor, when the mischief is not Universal; or if it be Universal, where it is yet tolerable, and not so mischievous in the consequence as a Civil War; and I am apt to believe were meant no otherwise by the Authors. Our Homilies press with great force the inconveniences of such a War, and the Author of *Forian* designed his 11th Chap. to shew, that *Resistance* would be a greater mischief than *Passive Obedience*; and tells us in the body of the

Chapter, that *the inconvenience of Resisting the Sovereign would be of ten times worse consequence than it.* Which in the general is true, as it relates to private Injuries or the ordinary Male-Administration of Government; but if it be applied to the case of a Governour who designs the destruction of the Laws, Lives and Liberties of his People, and has gotten Ministers to execute his intention; it is a manifest mistake, and is confuted by Examples and Experience in all Ages. If we look back into History, we shall find the best, the happiest, most prosperous People, most jealous of their Liberty, and while they continued firm in their resolution of maintaining it against the encroachment of their Governours, even with the hazard of their Lives, they have continued great and happy; but no sooner did they degenerate from this Zeal, but they became contemptible and dwindled into nothing: And at this day let us look into the whole World, and we shall find every Nation happy and thriving at home, and easie to their Neighbours abroad, according as they have preserved themselves from Slavery; whereas all Countries under unlimited Monarchies, decay in their strength and improvements; and tho' they may flourish for a little time by the ruin of their lesser Neighbours; yet they at last unpeople their own Countries, and seem to be permitted by God to come to that exorbitant Power, for their own ruin, and for a plague to Mankind. And indeed, the greatest mischief of a Civil War is the danger of subjecting the State to the absolute power of some potent General; as it hapned in *Rome, Florence,* and in *England* in the late Civil War: For to lose even half the Subjects in a War is more tolerable than the loss of Liberty; since if Liberty and good Laws be preserved, an Age or two will repair the loss of Subjects and Improvements, tho' they be ever so great: But if Liberty be lost, it is never to be retrieved, but brings certain and infallible destruction; as it did to *Rome*, and has brought, in a great measure, to *Florence*, and will to *England*, if ever the Prerogative do swallow up the Liberties and Priviledges  
of

of the Subjects. So far it is from truth, that the allowing of Resistance in some cases of extremity, has greater inconveniences than absolute Subjection. The Scriptures do indeed command Obedience without expressing any exception; but cases of extream necessity may as reasonably be presumed to be excepted here, as in the command for observation of the Sabbath; which is as positive as any Command for Obedience to Governours: *Thou shalt do no manner of work*, saith the Commandment; and yet it is acknowledged by all, to contain a tacit exception for Works of Necessity and Charity; and whoever will consider the Commands for Obedience to Governours, will find room in them for as reasonable an exception from that Obedience, in cases of Necessity, as for servile Works on the Sabbath Day; (of which our Saviour himself approves: ) it being as true that Governours were made for their Kingdoms, as the Sabbath for Man.

4. If then in some cases the mischiefs of tamely submitting to the Tyranny and usurpation of a Governor, may be worse and have more dangerous and mischievous consequences to the Commonwealth, than a War; I suppose it ought to be granted, that where this necessity is *certain and apparent*, People may lawfully resist and defend themselves even by a War, as being the lesser evil: And then there needs no more to justify the Protestants of *Ireland*, for their deserting King *James* and accepting their Majesties Protection, than to shew,

I. That it is lawful for one Prince or State to interpose between another Prince and his Subjects, who uses them cruelly, or endeavours to enslave or destroy them; and to rescue them from his hands even by a War, if other means prove ineffectual: And that it is lawful for the Subjects to accept of such Interposition and Protection, if they can find no better way to preserve themselves.

II. That King *James* designed to destroy and utterly ruin the Protestant Religion, the Liberty and Property of the Subjects in general, the *English* Interest in *Ireland* in particular, and alter the very Frame and Constitution of the Government.

III. That he not only designed, but attempted it with great success, and made a considerable progress in it.

IV. That there remained no other prospect or human possibility of avoiding this slavery and destruction designed against the Kingdom and Protestants of *Ireland*, but by accepting of the Protection and submitting to the Government of their present Majesties.

If I make these particulars manifest beyond contradiction, and if the very Consciences of Roman Catholics cannot but own them to be true, I do not see how they can condemn us for what we have done; or what else they could have expected from us; except they would have had us held up our Throats till they cut them; which no man had reason to, expect from a whole Body of People, and they least of all, who designed to be actors in it.

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## C H A P. I.

*Shewing, that it is lawful for one Prince to interpose between another Prince and his Subjects, when he uses them cruelly, or endeavours to enslave or destroy them.*

**T**HIS Assertion has been made so clear in several Discourses of late, that I shall not need to insist much more on it. A few Arguments will be sufficient for this place.

1. First, Therefore it may be lawful for one Prince to interpose between another Prince and his Subjects, because he may have Interest in that People and Government, to defend which Interest he may lawfully concern himself, and prevent their Ruin by a War. Such an Interest is Consanguinity, Community of Religion, but more especially a Prospect of Succession in



in the Government ; for in that Case, if the People be destroyed or weakned, the Inheritance is the worse, and he is injured in his hopes which often are very valuable. The present Possessor, who is only an Usufructuary or Tenant for Life, by destroying the Inheritance gives a just provocation to him who is in Reversion, to cross his design by opposing him by all means that are in his power; and this Argument is the stronger, if there be just reason to suspect that there are any unlawful means used to defeat him of his Succession ; which alone were sufficient to justify their present Majesties Interposition between the late King and his Subjects.

3. But secondly, the same may be lawful, if the Destruction of a People by their Prince, be only a step and degree to the destruction of a Neighbouring People. In that Case there is all the Reason in the World, that the Prince and People so threatned should prevent their own Ruin, by timely interposing in behalf of their Neighbours, and by forcing their King to desist from his Injustice and Violence against his own Subjects, tho' it cost a War to compass it, if there appear no other means to do it. And this is not only Charity to them, but a point of Prudence which every Prince owes to himself. Now if we consider the State of *Europe* at that time, the growing Power of *France*, and how much the late King was in the *French* Interest, it will clearly appear, that the Measures he took with his Subjects must have been fatal to all *Europe*, especially to the Protestant Interest, which he almost openly declared that he designed to destroy : and therefore it concerned all *Europe*, more especially *Holland*, who lay nearer to destruction, to interpose in time, and nip these Designs in the beginning, which they and all *Europe* saw would have ended in their Destruction, as soon as the Ruin of the Protestants in *England* and *Ireland* was accomplished : And the present Confederacy shews this to be the general Sense of all the States and Princes in *Europe*, as well of the Roman Catholics, as of the Protestants, the Pope himself not



excepted : So that this, which has been done to King *James*, is not to be looked on as the single act of their present Majesties, or of the People of *England*, but of all *Europe*, as the only means to oppose the intolerable Encroachments of the *French King* and his Faction.

4. Thirdly, The same is lawful by the common Rights of Humanity and Charity which are due to the distressed : If I see a Man about to kill or destroy another, tho' I have no authority over either, or concern with them, yet Humanity obliges me to succour and rescue the oppressed ; and tho' it be a Son that is thus wronged by his Father, yet while the Father proceeds with Cruelty and apparent Injustice, it alters not the Case, or makes it any thing more unlawful for me to afford relief ; or for him to desire and accept it, tho' the Father should take it so ill as to engage me in a quarrel to the loss of his life. Much more is it lawful for Princes to interpose with a Neighbour-Prince, when they see him cruelly and unjustly oppress his Subjects ; and there is much more reason for those Subjects to desire and accept of the kind Offers of such a Delivery, than for a Son to accept it against his Father.

5. Fourthly, God seems purposely to have divided the World into several Principalities and Dominions, and ballanced them among themselves, that there might be a Refuge for the oppressed and afflicted ; and that if one King should turn Tyrant or endeavour to destroy his People, the others might interpose and stop his Hands ; and that the fear of being deserted by his Subjects in such a Quarrel, might oblige every one to preserve their Love and Affection by Justice and good Government. I have reason to believe, that the Primitive Church, and especially *S. Cyprian*,

*Idcirco enim frater carissime, copiosum corpus est Sacerdotum, concordie mutue glutino atque unitatis vinculo copularum ; ut si quis ex collegio nostro Hæresim facere & gregem Christi lacerare & vastare tentaverit, subveniant ceteri, & quasi pastores utiles & misericordes, qui oves dominice in gregem colligant.* Cypri. Ep. 67. Pamelil.

was of this opinion, for they give, this Reason why the Church was

not

not trusted to one, but to many Bishops; Saith S. Cyprian, *Therefore the Body of Bishops is numerous, that if one be guilty of Heresie, and dissipate the Flock, the rest may interpose, and rescue them out of his Hands.* And sure the Argument is as strong for the number of Temporal as of Spiritual Governors, and the Necessity and Justice of their interposing with their Neighbour-Princes, when they attempt the Destruction of their People, is as great, as of a Bishops being chastised and restrained by his Fellow Bishops, when he attempts to introduce Heresie.

6. Fifthly, This is agreeable to the Opinion of Christian Civilians and Casuists, for which I desire the Reader may consult *Grotius de Jure, &c. lib. 2. cap. 25. n. 8.* where he tells us, *That if it were granted, that Subjects might not take Arms lawfully, even in the extremest necessity (which yet, saith he, I see is doubted by those who professedly defend the Power of Kings) it would not follow from thence but others might take Arms in their behalf.* This he proves from Reason and Authority; and answers the Arguments brought against it. See more to the same purpose, *lib. 2. cap. 20. S. 40.* where he tells us, *That it is so much more honourable to avenge the Injuries done to another than to our selves, by how much there is less danger, that the sense of anothers pain should make us exceed in exacting such Revenge, than of our own, or by ass our Judgment.*

7. Sixthly, The same appears to be lawful from the Practice of Christian Princes who are celebrated in Histories for doing it; this was the Case of *Constantine the Great*, and the Cause of his Quarrel to *Maxentius*, whom for his Tyranny over the Romans, *Constantine* invaded, and was received as their Deliverer, when he had slain him. The Cause of his invading *Licinius* his Brother in Law, was of the like nature, against whom he commenced a War for his persecuting the Christians; and after he had overcome him, he was received by the Christians in *Licinius's* room, and celebrated by the Church and Historians of that time, as a most holy and generous

generous Champion in the Cause of Christ. When the King of *Persia* persecuted the Christians, the same Prince threatned him with a War, in case he did not desist; and no doubt but he would have been as good as his word, if the *Persian* King had not complied. We may observe the same to have been done in the Cause of the Orthodox against the *Arrians*, by *Constantine* the Younger, Son of *Constantine* the Great; who threatned his elder Brother *Constantius* with a War, if he did not desist from persecuting the Catholick Bishops, and restore *Atbanasius* to his Bishoprick of *Alexandria*: That great and holy Man accepted of this Mediation, and was restored by it; which he would not have done, if he had judged it unlawful. The same was practised by King *Pepin* and *Charles* the Great against the *Lombards*; and by all the Princes of *Europe* in favour of the Christians oppressed by the *Turks* in the holy War. Queen *Elizabeth* did the same for *Holland*: King *James* for the Prince *Palatine*: and King *Charles* the First for *Rochel*; and Bishop *Laud*, who certainly understood the Principles of our Church, encouraged both: And it is one of the greatest Blemishes of the Reign of King *Charles* the Second, that he suffered the *French* King to proceed so far in destroying his Protestant Subjects, without interposing in their behalf; which if he had effectually done, he had either prevented it, or got an opportunity of rendring his Reign glorious, and his Kingdom safe, by a War, which would in all probability have humbled that Monarch to the advantage of all *Europe*.

8. I know nothing that can be objected against this, except it be the peculiar Obligation that lies on us from the Oaths of Supremacy and Allegiance: which (tho' it should be allowed lawful for a Foreign Prince to interpose) would yet make it necessary for us to fight for our own Prince. But to this I answer; 1. That those Oaths were made by us to the King, as Supreme Governour of these Kingdoms, and while he continued such, they

they did oblige us ; but by endeavouring to destroy us, he (as *Grotius* observes) in that very Act *abdicated the Government* ; since an intention of Governing cannot consist with an intention of Destroying ; and therefore in all Equity we are absolved from Oaths made to him as Governour.

That this may not seem a new Doctrin, I would have the Reader observe, that I only transcribe the Learned *Falkner* in his *Christian Loyalty*, l. 1. c. 5. §. 2. n. 19. *Such Attempts*, saith he, *of ruining, do ipso facto include a disclaiming the governing those Persons as Subjects, and consequently of being their Prince or King: and then the Expression of our publick Declaration and Acknowledgment would still be secured, that it is not lawful upon any pretence whatsoever to take Arms against the King.*

9. But Secondly, No Oath of Allegiance doth oblige any Subject to assist his Prince in an ill Cause. If therefore a King should, against the Rules of Justice, attempt to destroy a Neighbour-Nation, his Subjects, who were convinced of this, ought not to fight for him in such a War ; and if they ought not to assist him to oppress Foreigners, much less is it lawful for them to assist him to destroy themselves, or to fight against a Prince who comes to rescue them from Destruction intended against them ; and if no Protestant Subject could lawfully fight for King *James* in his Quarrel against their present Majesties, it is manifest that he himself had thereby voided that Branch of the Oath of Allegiance, of fighting for him, by making the matter of it unlawful ; he having brought the Nation into such a Condition, that at the same time they defended his Person, they must enable him to accomplish his destructive Designs against them ; which no Casuist will say they were obliged to do: They therefore that urge us with the Obligation of the Oaths of Allegiance, ought either to make it appear, that it was lawful for us to fight for him in an ill Cause, or else that it was not an ill Cause to help him to destroy his People. Or, Thirdly, That he had no such Design against

gainst us: none of which I have yet seen attempted in any Paper that has appeared in his Defence.

10. But Thirdly, As to us particularly in *Ireland*, his late Majesty King *James* and his Parliament here, by a formal Act, did repeal and make void all former Acts that required the tendring or taking those Oaths; and left not one legal standing Oath in force, whereby we or any other Subjects, besides Soldiers, were obliged

Acts of the late pretended *Irish* Parliament.  
C. 3.

to profess Subjection to him; therefore those Oaths being repealed and voided by the King's own express Act, how could he expect that we should look upon our selves to be bound or obliged by them? And indeed we must conclude from his Majesties consenting to repeal them, either that he designed to release us from the peculiar Obligation arising from them, as too strict; or else, that he did not design to depend on our Oaths for our Loyalty, and therefore laid them aside, as of no force to oblige us; either of which must proceed from an intention to destroy the ancient Government with which he was intrusted; and can signifie nothing less, than that he did not intend to rule us, as his Predecessors did, or to depend on those Obligations of Subjection which they judged proper for the Subjects of these Kingdoms to give their King; and that as he did not intend to keep his Coronation Oath to us, so he did not value our Oath of Allegiance to him, having left none that we know of in this Kingdom which any Law obliges us to take.

C H A P. II.

*King James designed to destroy the Protestant Religion, the Liberty and Property of his Subjects in general, the English Interest in particular, and so alter the very Frame and Constitution of the Government.*

S E C T. I.

*Shewing the Possibility of a Kings designing the Destruction of his Subjects.*

1. **I** Have in the former Chapter shewed, that it is lawful for a Prince to interpose between another Prince and his Subjects, if he attempt to destroy them: I promised in the second place to shew, That the late King designed and endeavoured to destroy, and utterly ruin the Protestant Religion and *English Interest in Ireland*, and to alter the very frame and Constitution of the Government. This I look on as the most material point of our Apology, and to need the most clear and full proof: for Jealousies and Fears in such a Case ought not to pass for Arguments, or be brought into competition with a certain and plain Duty, that is, with Obedience to lawful Governours. The Arguments therefore brought by Subjects to prove their Governours Design to destroy them in those Interests, to preserve which is the only Reason of Mens desiring or submitting to Government; ought to be so plain and evident, that the Conscience of Mankind cannot but see and be convinced of their Truth; especially the generality of the Subjects themselves ought to be fully satisfied and acquiesce in them.

2. I know'tis commonly objected, *Who shall be judge?* And for this Reason alone some conclude it can never be

be lawful to make any opposition against a Governour, or to side with a Deliverer that comes only to rescue miserable Subjects: But I answer, There are some Cases so plain, that they need no Judge at all: Every Man must be left to judge for himself; and for his Integrity he must be answerable to God and his own Conscience. Matters of Fact are often of this Nature, and I take this to be one of them; for either the People must be left to judge of the Designs of their Governour by what they see and feel from him, or else they must be obliged to a blind and absolute Submission, without employing their Understanding in the case. And I dare appeal to all the World, whether it be safer to leave it to the Judgments and Consciences of a whole Kingdom to determine concerning the designs of their Governour, or to leave it to the Will and Conscience of the King, whether he will destroy them. One of these is unavoidable; and I am assured it is less probable, that the Generality of a Kingdom will concur in a Mistake of this Nature, and less mischievous if they should mistake, than that a King by Weakness, wicked Counsellors, or False Principles, should design to make his People Slaves, subvert the ancient Government, or destroy one part of his People, whom he hates, in favour of another.

3. That a Prince may design to destroy his Subjects (tho' the Asserters of absolute Passive Obedience would make it an incredible thing) is so far from being impossible, that it is very common, of which there are so many Examples, both ancient and modern, that it is a wonder, that Men, who know any thing of History, should over-look them. *Nero, Caligula, Domitian, Maximinus, Heliogabalus, Commodus*, not only endeavoured, but professed it; and some of them were mightily concerned, that it was not in their power to accomplish it. No longer ago than the time of *Philip the Second of Spain*, we have an Example of a Christian King no better than those Heathens. Whoever reads the Story of his dealing with the *Low Countries*, must confess, that



he design'd the utter Destruction of the Laws and Liberties of those People; and that in particular he was resolv'd, that not one Protestant should be left alive amongst them. The same has been designed and effected in a great measure by the present *French King* against his Protestant Subjects, and he must have a great share either of Impudence or Stupidity, that can deny this Prince to have designed and purposely contriv'd that destruction; and by the same Rule that a Man can be so wicked and barbarous as to design the destruction of a third or fourth part of his People, he may design the destruction of the greater part, if they will be such Fools as to suffer him to effect it.

S E C T. II.

*Shewing from the Obligations of his Religion, that King James designed to destroy us.*

**I**T is easie to demonstrate, That every Roman Catholick King, if he thoroughly understand his Religion, and do in earnest believe the Principles of it, is oblig'd, if he be able, to destroy his Protestant Subjects; and that nothing can excuse him from doing it, but want of Power. This is plain from the third Chapter of the fourth *Lateran Council*, and from the Council of *Constance* in the Bull that confirms it, read in the 45 *Session*. If therefore a Popish King can persuade his Protestant Subjects to submit to him whilst he doth it, he is oblig'd by his Principles to destroy them, even when they are the greater part and Body of his Subjects. Now King

*James* was (as is known to all the World) a most zealous Roman Catholick, and engag'd with that Party of them, that most zealously assert and practise this Do-

*Pro defensione fidei præstat juramentum quod de terris sue jurisdictionis Subjectis universos hereticos ab Ecclesia denotatos, bona fide pro viribus extirminare studebunt. Conc. Later. IV. cap. 3.*

*Concil. Constantiens. Sess. 45. Bull. Mart. De erroribus Johan. Wickliff.*

&rin of rooting out Hereticks. He gave himself up  
 intirely to the Conduct and Guidance of Jesuits; these  
 were the Governours and Directors of his Conscience,  
 and he seemed to have no other Sentiments, than such  
 as they inspired into him. If then these have prevailed  
 with the *French King* (whom some report to be a mer-  
 ciful Man in his own Nature, and certainly a mighty  
 Zealot for his Honour) to break his most solemn esta-  
 blished Laws, violate his repeated Declarations and  
 Oaths, and in spite of all these, to persecute and destroy  
 his Protestant Subjects: If the same hath prevailed with  
 the Duke of *Savoy* to do the like, tho' as he is now con-  
 vinced, manifestly against his Interest, nay, almost to his  
 own Destruction, having lost thereby his best and most  
 resolute and useful Subjects, who would have served him  
 most Cordially against *France*, the Enemy he ought most  
 to dread, and which one day will swallow up his Duke-  
 dom, if his Allies do not prevent it. If, lastly, they  
 have prevailed with the Emperour to involve himself in  
 a War, that has now lasted about twenty years, and  
 almost lost him his Empire, rather than suffer a few  
 Protestants to live quietly in *Hungary*: Is not our late  
 King's being of the same Principles, and under the Go-  
 vernment of the same Directors of Conscience? Is not  
 his Fondness of *France*, and his Alliance with it, his  
 affecting to imitate that King in every thing, and above  
 all, his prosecuting the same, if not worse Methods to-  
 wards the Protestants in *Ireland*, that the King of *France*  
 did with the Hugonots in his Dominions, a clear and  
 full proof of both Kings being in the same Design, to  
 root out not only the Protestants of these Kingdoms,  
 but likewise of all *Europe*? and that we must all have  
 expected the same usage our Brethren met with in  
*France*?

Nor could our King's Promises and Engagements be  
 any greater assurances to us, than those of the *French*  
 King were to his Subjects. It is observable, that King  
*James* was more than ordinarily liberal in his Promises  
 and

and Declarations of favour towards Protestants. He boasted in a Declaration sent to *England*, and dispersed by his Friends there, Dated *May 8. 1689. at Dublin*, That his Protestant Subjects, their Religion, Priviledges and Properties were his especial care since he came into *Ireland*. He often professed, That he made no distinction between them and Roman Catholicks, and both he here, and his Party there, did much extol his kind dealings with his Protestants in *Ireland*. What those Dealings truly were, I shall have occasion to shew: The representation of them made in *England* by him and his Party was no less false, than his Promises were unsincere; it being plain he had a reserve in them all. It is a Maxim (as I take it) in Law, That if the King be deceived in his Grant, tho' it pass the Great Seal, yet it is void: Much more must all his verbal Promises be void, if he be deceived in them. Now if we consider, who were the Directors of the King's Conscience, we ought not to wonder that he made no great scruple to evade them: Dr. Cartwright, one of his Instruments, gives us a right notion of King James's Promises in his Sermon at *Rippon*, where in effect he tells us, That the King's Promises are Donatives and ought not to be too strictly examined or urged, and that we must leave his Majesty to explain his own meaning in them: This Gloss pleased King James so well, that he rewarded the Author with the Bishoprick of *Chester*, tho' very unfit for that Character; and shewed in all his Actions, that he meant to proceed accordingly: And the Humor run through the whole Party; whenever they were at a pinch, and under a necessity of serving themselves by the assistance or credulity of Protestants, they promised them fair, and stuck at no terms with them; but when their Turn was served, they would not allow us to mention their Promise, much less to challenge the performance.

2. It plainly appeared, That it was not in King James's power, if he had been disposed himself, to perform his Promises to us. The Priests told us, That they would have



have our Churches, and our Tithes, and that the King had nothing to do with them; and they were as good as their words; nor could his Majesty upon Trial hinder them. One Mr. Moore preached before the King in *Christs-Church*, in the beginning of the Year 1690, his Sermon gave great Offence: He told his Majesty, That he did not do Justice to the Church and Churchmen; and amongst other things said, That *Kings ought to consult Clergymen in their Temporal Affairs, the Clergy having a Temporal as well as a Spiritual Right in the Kingdom; but Kings had nothing to do with the managing of Spiritual Affairs, but were to obey the Orders of the Church.* It is true, King *James* highly resented this, and the Preacher was banished, or voluntarily withdrew from Court; but in this he spake the general sense of the Clergy, indeed of the Roman Church, to which the King had given himself up, and must be forced to submit to it at last. The King's Promises therefore, or his Laws, could signify nothing towards the securing us, except he could get the Roman Church to joyn in them, and become a Party to them: For whilst the Governors of that Church challenge the whole management of Spiritual things, and King *James* owned their Power so far, that he consented to abolish the Oath of Supremacy that denies it, for him to promise safety and liberty to Hereticks, and make Laws about the Worship of God, and Liberty of Conscience, is clearly according to their Doctrine, to give away what is not his own, and dispose the Rights of another, without consulting the Party interested; and according to all Casuists, such Promises are void; they that speak most favourably of the Council of *Constance*, which is supposed to determine, that no Faith is to be kept with Hereticks, make this Apology for the Council. The Emperour *Sigismund* granted, without consulting the Council, a safe conduct to *Jerome of Prague*; the Council condemned him for Heresie, and ordered him to be Burnt: The Emperour interpos'd to justify his safe conduct; but the Council answered, That he was not obliged

obliged to make it good to the Heretick, because it was not in the Emperour, to grant a safe conduct to secure a Man against the Justice of the Council, without consulting it: This is the most favourable representation I have met with of this matter; and even thus it is a sufficient Caution for all Protestants, not to trust Kings or Princes of the Roman Communion, in matters that relate to the Church or Religion, without the express consent of that Church or Religion; if they do, it is at their own peril, and they cannot blame those Princes when they fail in their Promises, for they had sufficient warning not to trust them, since they engage for a thing, that according to their own confession is not in their power, but is avowedly the right of another.

S E C T. III.

*The same proved from the Professions of that whole Party, who were most privy to King James's Counsels.*

**T**He second Argument whence it appears, that the King designed utterly to destroy and ruin his Protestant Subjects in *Ireland*, is from the Oaths, Professions, and Affirmations of those who were his Confidants and Instruments, used by him to bring it to pass. From the very beginning of the *French* Persecution, the Papists of *Ireland* began to shew their fondness of that Monarch: And as their love to him commenced with that Persecution; so it increased in proportion to his Barbarity; and they could never speak of it without Passion and Transport. But after his late Majesty came to the Crown, they openly declared, that they liked no Government but that of *France*: That they would make the King as absolute here, as that King was there; they affirmed both publicly and privately, with many Oaths, That they would in a short time have our Estates and Churches; that if they had suffered us to live, they

would make us *brewers of Wood, and drawers of Water*: That *Ireland* must be a Catholick Country, whatever it cost; and as for the *English*, they would make them as *poor Devils*, as when they came first into *Ireland*: And they assured us, That this was no rash surmise of their own, but that it was premeditated and resolved, and that we should quickly find it by the effects; of which they were so confident (tho' we could not believe them) that some of the most serious amongst them advised their Protestant Friends in private with all earnestness, to change their Religion: For (said they) *you will be forced to do it at length, and if you delay but a little time, it will be too late, and perhaps you may not be accepted; for no Protestant must expect to enjoy any thing in this Kingdom; and we resolve to reduce all things to the state they were in under Henry the Seventh, before Poining's Act.*

In answer to this we told them, That the Laws were on our side, and the King had promised to Govern according to Law, and to protect our Church and Liberties; but they laught at our Credulity, pist at the Laws as meer Trifles, and unanimously declared, That the Kings Promises to maintain the Government in Church and State, were intended only for *England*; and were not meant to reach us; and wical intimated, that the same would be done in *England*, tho' not so soon: For the truth of all which I may refer my self to almost as many Protestants as were then in *Ireland*, there being few but were witnesses of such Discourses: And the King's Conduct towards us was such, as left no room for us to doubt, but that these People knew his mind, and that all his Promises and Declarations in our favour, were perfectly copied from the *French Kings* Declarations, to preserve the Edict of *Nants*, and of as little Sincerity; and that notwithstanding these, he had as fully determined our ruin, as that King had resolved the voiding the Edict of *Nants*, when he made his solemn Declarations to the contrary.

S E C T. IV.

*The same destructive Designs against his Subjects, proved from the qualifications of the Officers employed by King James.*

1. **T**HIS destructive Design appears in the third place, from the persons he Employed in all Offices of Trust or Power. It is well known to the World, and to many thousands yet alive, that in the year 1641 there was a most bloody Massacre committed in this Kingdom on the Protestants, by their Neighbours the Papists; in which some hundred Thousands perished; and that not one Protestant whom they spared, escaped without being robbed and plundered of all he had, if not stripped and turned out naked, to the extremities of Cold and a desolate Country: And to such a degree of madness they proceeded, that they destroyed the Houses, Buildings, Churches, and Improvements of the Kingdom out of their malice and inveteracy to the Protestants, the Founders of them: But these Barbarians at last were by the Protestants subdued, and brought to submit to mercy. After which Conquest, the Conquerours in the year 1660 joyned (indeed were more forward than the People of *England*) in bringing home King *Charles II.* and generously gave up themselves, together with the Kingdom of *Ireland* without Articles or Conditions, into his hands. The King in recompence of so signal a Service, and to reprice the Conquerours for their Blood, Treasure and Losses, gave them back a part of what they had given him; but withal restored the Conquered, under certain qualifications, to another part of the forfeited Lands; who tho' restored by the Kings meer Bounty, yet retained in them the same Principles of Popery that at first stirred them up to Rebellion, and to Massacre their fellow Subjects: And having besides this, their old Hatred to the *English* new edged and heated by seeing the Conque-



rours possess of the Estates which they themselves by their Rebellion and Cruelty had lost ; they from time to time let us see their hopes and wishes of Revenge ; to which the favour they found at the *English* Court, under the shelter of the late Queen Mother, and the prospect of the Duke of *York's* coming to the Crown, gave foundation and encouragement. Neither could they hide their Resentments so, as to prevent a just fear and jealousy of them in the Protestants, who had so lately, and in so signal a manner, suffered by them in all their dearest Interests: Yet these were the persons whom King *James* chose for his Ministers and Officers, with whom he resolved to trust the Employments, the strong Holds, the Arms and Justice of the Nation ; a thing so extravagant, that we challenge any one to shew a parallel case in any History. No body would ever have taken the Arms and Courts of Justice out of the Conquerours hands, and put them into the hands of the Conquered, exasperated by the loss of their Honours, Liberties and Estates, except he had a mind they should revenge themselves, and recover all that they had lost before ; and had been manifestly wanting to their own Interests, if they had slip't this opportunity. If they hated us so much in 1641, that without provocation, and whilst in possession of their Estates, they rose as one Man, and attempted to destroy us ; if they were so set on it, that they ventured to do it without Arms, Discipline, or Authority on their side, and where the hazard was so great, that it was ten to one if they succeeded; what could we expect they would do now, when provoked to the height by the loss of their Estates, when Armed, Disciplined, and entrusted with all the places of Strength, Power, and Profit in the Kingdom ? This alone is a Demonstration that the King, who thus put us in the power of our inveterate and exasperated Enemies, either was extremely mistaken in his Measures, or designed our destruction : I am sure we must have been destroyed, if God had not prevented it almost by a Miracle.

2. It is a Maxim in our Law, That the King can do no wrong; because he executeth nothing in his own Person, but has Officers appointed by Law to execute his Commands, who are obliged not to obey him, if he command any thing that is illegal: If any Officer obey him in such unlawful Commands, it is at his own peril, and he is accountable for it; the King's Command being no excuse or protection to any Man for his doing an illegal thing. Whilst therefore the King employs only persons amenable to the Laws, that have a value for their Honour, for the liberty of their Country, and the Publick Good; and have Estates answerable for what wrong they do to the Subjects in executing their Offices, there is no great danger of his doing much harm to his People, tho' his Intentions were ever so mischievous against them; it being the great security of the Subjects, and restraint on the Officers of the King, that they cannot do any wrong, but the injured Person has his remedy against them by Law.

3. This I remember is all the Human security Doctor Hicks in his *Jovian* allows us, to preserve our Liberties, &c. against a Tyrannous King. And he supposes it so effectual a Bar to all attempts of this Nature, that he pronounces it impossibility for our King to turn Tyrant. But the event has sufficiently confuted his surmise, and shewn not only the possibility, but the actual performance of what he supposes impossible. For King James made it his business to find out, and actually pitched on a Set of Officers and Instruments, that (as he expresses it in one of his Declarations) would obey him *without reserve*: Against whom the current of the Law was stopt, and who were in no condition to make amends for the Mischiefs they did: All which will appear, if I make out, 1. That they were Men of little or no Fortunes. 2. Unable and insufficient to discharge the Offices committed to their Trust. 3. That many of them were Men of such loose Principles and Morals,

*Declaration for Liberty of Conscience in Scotland.*

that they could not be supposed to stick at any wickedness which was for their Interest. 4. That their Inclination and Genius led them to destroy the Laws, Liberty, and Religion of the Kingdom. 5. That most of them were unqualified by Law for the Offices into which they were placed, and therefore could not be supposed to study the preservation of those Laws, in defiance of which they acted. Now if it appears that these were the qualifications of most of King *James's* Officers and Instruments in *Ireland*, I suppose it will be a further Demonstration of his Intentions, and of what we were to expect from him.

## S E C T. V.

I. *That the Officers employed by King James were Men generally of little or no Fortune.*

I Suppose the true Reason why one Man is allowed to possess a greater Estate in a Commonwealth than another, and to maintain himself by the Labor of other People, is, that he may be at leisure to attend the publick Business of his Country; and that having such a considerable Stock in the common Bottom, he may be the more careful to preserve it from sinking. Out of such Men therefore, of Fortune and Interest, every wise and well designing King, will supply himself with Officers. For their Interest will help to support him and will procure his Commands Obedience; and their Fortunes will secure the Subjects from being injured by them, their Estates being Pawns to the Publick for their good Behaviour, and Reprizals to those they have injured. But for this very Reason King *James* generally employed men of little or no Fortunes, and very often the Scum and Rascality of the World. This made him so fond of the *Irish*, who had lost their Estates, who depended wholly on him, and had no other possibility of subsisting; but by espousing his Interest, and serving him

without

*without reserve.* I cannot blame them for being ready to embrace the Offer, but it was certainly very impolitically done, or an indication of an ill Design in him to employ and espouse Men of such ruined and broken Fortunes. I have put into the Appendix a List of the Civil Officers, See *Appendix.* of the Colonels and Lieutenant-Colonels of his Regiments, and of the principal persons that he brought along with him from *France*, so far as I could gather them up; and it will appear upon view, that very few of them were Men of clear Estates, and most had no pretence to any at all. The Sheriffs and Deputy-Lieutenants of Countries were generally poor and mean People: Many of them had been Servants in the meanest condition to Protestants; who if they injured any Body in their Employments, had not substance enough to answer the Charges of a Suit, much less the Damages expected by way of Reparation.

2. After the Earl of *Tryconnel* had named his Sheriffs of this stamp for the year 1687, it will hardly be found that any Protestant recovered any Debt by Execution. The main Reason of this was the Poverty of Sheriffs, which made Men unwilling to trust the Execution of a Bond for Twenty pounds into their Hands, they not being responsible even for such a small Sum; as too many found to their cost. The Mayors and other Magistrates in their new modelled Corporations, were generally of the same sort. In *Dublin* they could not pick up Men enough that had the face to appear as Burgeses; and some of those that they named had not Money to buy themselves Gowns. I think their number was never complete. It was yet worse in the Country Corporations; in many places they were not able to pay the Attorney General's Fees, which stopped their new Charters, till the calling a Parliament necessitated him to pass them *gratis*. And as to the inferior Officers of the Army, such as Captains, Lieutenants and Ensigns, some hundreds of them had been Cowherds, Horse-boys or Footmen

Footmen, and perhaps these were none of their worst Men; for by reason of their Education amongst Protestants, they had seen and understood more than those who had lived wild on the Mountains.

3. 'Tis observable, that the Men of clear Estates who followed his late Majesty from *England* through *France*, as they were but very few, so they had but little Interest with them; of which Duke *Powis* was one Instance, and Lord *Dover* another. Duke *Powis* made the Protestants believe, and perhaps he was sincere in it, that he was much against the Proceedings of the pretended Parliament; and used his Interest with the King to put a stop to them, but was not able to do it: Lord *Dover* was actually dismissed from all his Employments, and ready to leave the Kingdom, some time before the Alteration hapned by the Victory at the *Boyn*. Now King *James's* Aversion to employ or trust Men of Estates and Fortunes, and the reason of his Fondness to such Creatures as had no Being but what he gave them, was obvious enough to us that felt it; and they themselves did not deny it: Nay, boasted of it as a great instance of his Wisdom. He knew these could never thrive, but by making him absolute; that they would never demur at any Command, or enquire for any other Law than his Will; that they were out of all fear of being questioned afterwards, or of having their Estates forfeited, or Families beggered; all which are great Restraints on Men of Estates and Honour.

4. And surely, there cannot be a fuller Demonstration of a Prince's Design to lay aside the Laws, and to Rule by force without controul, than his putting out Men of Substance, and employing Men of broken and desperate Fortunes in places of Trust and Honour; who, having nothing else to depend upon but the Prince's pleasure, must be absolute Slaves to it, and yield a blind Obedience to all that is given them in Commission. This is the Misery of a People when Servants rule over them. And this was the Reason King *James* employed rather

rather such than any others. And it was impossible the Grand Seignior should have fitted himself better with Instruments for promoting an arbitrary Government than he did.

S E C T. VI.

II. *The Insufficiencies of the Persons employed by King James was of mischievous Consequence to the Kingdom.*

I. **T**HE Poverty and Meanness of the Men was not their worst Fault. It is possible that a poor Man may be both honest and able for the greatest Trust. But the Officers employed by King James were such, that tho' they had been very honest, and willing to do Justice, they yet must have done much Mischiefe by their Unskilfulness, and Insufficiency for the Offices with which he intrusted them. It was both King James's Misfortune, and his Subjects, that he employed very few of sober Sense and Experience about him; whether it was that he could not get Men of Sense to go through with him, in all things that he would have done, or whether it proceeded from the Servility observable in dull People, whereby they flatter and gain on Princes. Or lastly, from a Humour incident to great Men, which makes them unwilling to have Servants able to pry into their Designs. But however it was, it was remarkable in King James, that dull heavy Men kept his Favor longer, and more steddily, than Men of Sense and Parts; and he generally chose out the most unfit and most incapable for Preferments. It is plain, that even in *England* he designed the Army should be supplied with *Irish*; and this Project went farther than the Army; he was filling the Burroughs and Corporations with them also; and no Body knew where the humour would have stopped. Now if there had been nothing else, their being kept out of all Employments and Trusts by the Laws for many years past, must have  
incapa-

incapacitated them ( and all Roman Catholicks ) for managing the Affairs of the Kingdom to Advantage ; they neither had fit Education, nor had they applied their Minds to the Management of such Affairs: They were absolute Strangers to every thing that concerned the publick ; and then no wonder that they went awkwardly and untowardly about Business. How was it conceivable , that they should escape signal and mischievous Errors in the Discharge of Offices to which they had never been bred up, and of which they never thought till they were put to manage them? And yet this they were constrained to do without the Aid or Assistance of any to help them, and that under the most difficult Circumstances ; for the former Officers looked on their Offices as their Freeholds, and conceived a great Resentment against such as had turned them out of them against Law and Justice ; and therefore left them as intricate, and their Successors as little Information as they could ; who , according to the Nature of ignorant Men, were too proud to ask Assistance from the others, if those had been willing to afford them Instruction.

2. It is not imaginable how many Inconveniences hapned on this Account ; nothing was done by any Rule or Method : The Subjects were every day oppressed, and the Officers made themselves ridiculous by their Blunders and Mistakes ; every Body was petitioning by reason of these Grievances, and no Body knew how to redress them. None of the new Officers understood his own Business, or how to distinguish his Province from another Man's. The knavish part of Offices, in putting Tricks on People, and getting Money, were all the Study of the new employed Gentlemen. The real and substantial parts of the Offices, for which they were instituted and designed, were little known, and less minded ; nor could it be expected to be otherwise. Could any image , for Example , that Chancellor *Fitzon*, that had lain in Prison many years,

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not appeared in any Court, a Stranger to the Kingdom, to the Laws, and to the Practice and Rules of Court, and withal a Man of a heavy and slow Understanding, should on a sudden be able to dispatch the Business of the highest Court in the Kingdom, and penetrate into the most intricate Causes, which are commonly determined in that Court; He was so far from this, that he was forced to make many needless References to the Masters, in Causes that had no difficulty in them. This was the general way of his dispatching Causes. And then what Report could be expected from Mr. *Stafford*, one of these Masters, a Popish Priest, noted and exposed by his own Party for want of Sense; and who perhaps had never been within the Courts, till he sat down as one of the Masters of the Chancery; or from the other Masters, who were yet more ignorant and unexperienced (if possible) than he?

3. If we take a view of the Country, we shall find their Case rather worse. One that a few days before was no other than a Cowherd to his Protestant Landlord, perhaps was set before him on the Bench as a Justice of the Peace; and preferred to command as Captain in the Field, or a Deputy-Lieutenant in the County. I am assured, that some were thus preferred, without passing through any intermediate steps, to prepare or fit themselves for the better Discharge of those Places. The Consequence of which is easie to be imagined; Every one that is acquainted with Business and Dispatch, knows what a Torment it is to have to do with raw and unexperienced Officers, who must be taught by him that comes to have his Business done, how they should go about it; and, which is often hardest to do, he must convince them that they are mistaken, or do not understand their own Offices, which such Men are most unwillingly brought to own; and yet no business can be rightly done, till they are convinced of it. This was the condition of all the Offices in *Ireland*, from the King's Privy Council and Secretaries

aries of State, to the High-Constables; which, without any other Defect, must and did bring many Inconveniences to the Kingdom.

4. But after all, if none but Men of ordinary Parts and tolerable natural sagacity, had been employed, tho' unexperienced and uneducated, Time might have taught them, and made them at least tolerable, if not dextrous at their Business: But the generality of those who were preferred, had such weak Understandings, and unimprovable Capacities, that they who were superseded by them could not reflect on it without the greatest Indignation, to see Men, not much removed from Idiots, put into their Places and Offices, which they had bought with their Money, and had taken considerable pains, and spent a good part of their Lives to qualify themselves to execute; whereas those that succeeded them, had nothing of Improvement or Education; and withal were so proud, and lazy, and dull, that they neither would, nor could make themselves better by Application or Industry, who had nothing to recommend them to the King, but that they were Papists, and such as he believed would never scruple any Command however illegal or absurd, so it tended to weaken or destroy Protestants, which was the sole Qualification that recommended them.

## S E C T. VII.

III. *King James had gotten a Set of Officers fitted to destroy a Kingdom, by reason of their loose Principles, and want of Moral Honesty.*

1. **T**He Instruments King *James* used to carry on his Design, were not only very poor and insufficient for their places, but they were likewise Men fit to be employed in ill Designs; and it is hardly credible, how rare it was to find amongst them a Man that had ordinary Moral Honesty. It is true, they seemed to make Conscience of hearing Masses, and not eating Flesh on

Fridays,

Fridays, but hardly of any thing else. To have been always reckoned a Knave, was no Exception, or Bar to any Man's preferment amongst them: They declared, they must make use of such. Those that were infamous whilst the Government was in the hands of Protestants, for Forgeries, Perjuries, Robberies and Burglaries, were all indifferently employed by them. That some such should be admitted into the Army, is not so much to be wondered at; but that honest Gentlemen should be turned out to make room for them, was intolerable; and yet here not only the Army, but even the Courts of Justice were filled with such. One of the new Examinators of the Chancery was formerly detected of a Forgery. Several of their Burgesses, nay, Sheriffs, were notorious Thieves, and some Burnt in the Hand. The Speech of one of their new Justices of the Peace gave some Diversion; it was one Mr. *Stafford*, for whom the Master of Chancery, his Son, had procured a Commission of the Peace: It was soon after the Earl of *Tyrconnel* came over Governour; and it fell to the new Justices turn to give the Charge at the Quarter Sessions; in which he set forth, as well as he could, the Happiness of the Kingdom under the new Government; *Amongst other Conveniences that we reap by it*, said he, *it has rid us of Tories; for all those are taken into the Kings Army.* And the Truth was, many of these that had been Indicted, Outlawed, nay, Condemned, got Commissions. The famous Tories the *Brannans*, who had been guilty not only of Burglary and Robbery, but of Murther also, who were under Sentence of Death, and had escaped it by breaking Gaol, were made, among the rest, Officers: And the Earl of *Tyrconnel* seemed to bear a peculiar favour to these Tories, and a spight to such as had been diligent to suppress them. There was a famous Tory in *Munster*, one *Power*, who did abundance of Mischiefe, and disturbed the whole Country: Mr. *Fitz-Simons*, a Gentleman of the Army, had rid the Country of him; by which piece of Service he deserved very well; but instead of being rewarded,

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he was one of the first Protestant Officers that was cashiered. There was another notable Tory, one *Flemming*, that was very troublesome and mischievous in *Leinster*; some Troopers by their diligence surpriz'd him, and cut him off: It was observed, that the Earl call'd out those Troopers first, and cashier'd them, some considerable time before he turned out the rest of the Troop; which every Body interpreted to be a Mark of his Displeasure for that Service. I have heard it observed, That there were at least twenty noted Tories, Officers in one Regiment, and very few Regiments were without some.

2. There was another sort of People had mighty favour with them; I mean Converts to their Religion. A man may, I confess, upon just Motives, or such as seem just to him, change his Opinion and Religion, and cannot justly be condemned of Dishonesty for so doing; but he is certainly a very dishonest Man that dissembles or alters his Opinion, without any other visible motive besides Gain or Preferment. Now this was the Case of many of their Officers. Several of the Children of the Papists of the Kingdom had formerly been taken up, and bred by Protestants, some in one station and some in another; they commonly were taught to read and write, and many of them by the kindness of their Masters were preferred; some became Counsellors at Law, some Attornies, some Clerks; others continued menial Servants and Footmen. Upon the change of Affairs, most of these began to despise their Benefactors or Masters, and to count themselves better than those who had educated and taught them; and in order to get Preferments, altered their Religion, in which their Masters, with much care, had instructed them; and declared, that in their Hearts they had been all along Roman Catholics. Above one hundred Footmen, on these Declarations, were advanced to be Captains. Whereas their living so long in the profession of the Protestant Religion, if they did not believe it, was to all honest Men

Men an Argument of so great Hypocrisie, that the person guilty of it (one would think) should not have been trusted by any that valued either Truth or Honesty; but if this Declaration was only feigned, as I am apt to believe it was in many, then their Conversion was an effect of Covetousness, or Ambition, and an Act of Hypocrisie to be abhorred by all good Men. However, to persuade the World that they were real, they were very severe and mischievous to Protestants in general, especially to those that had been kind to them, whilst in an inferiour condition. And it was observable of these Converts, that they immediately on their Reconcilement, made themselves signal by some eminently wicked Act. Thus the Earl of *Clancarty*, soon after his being reconciled, murdered a Butcher at *Mayallo*; by tossing him in a Blanket. Captain *Nangle* after his, murdered one *Kelly* in the Street. Lieutenant *Mac Gennis* murdered Captain *Hamilton*. Sir *Maurice Eustace* murdered (I think) two upon his Conversion. One *Warren* murdered one *Wilson*. Captain *Waller* murdered a Player, one *Clerk*. Captain *Maurice* murdered a poor Piper, and was made High Sheriff of the *Queens County*. Sir *Gregory Birn* turned, in order to carry a Suit of Law against Captain *Fitz-Gerald*, which he is supposed to have carried by very indirect Means, as most that heard the Trial believed, it being strongly surmised by them, that he had suborned Witnesses, and corrupted the Sheriff to pack a Jury. Captain *Callahan* was content to introduce his Conversion, by affronting the Judge at *Waterford*, breaking open a House, and beating the Chief of the Court to the hazard of his Life. In short, their Converts, both Men and Women, became infamous by very notorious Wickednesses. The Men by Murdering, Forgery, Perjury, Robbery, Swearing and Cursing; and the Women by Lewdness, and Prostituting themselves; yet those of both Sexes were cherished and encouraged amongst them; and for being Converts were in special request, and next in the way to preferment.

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3. Lastly, It was remarkable amongst them all, Converts and others, that they were very uncharitable and void of all Compassion. They turned vast numbers of Protestants out of their Houses, and left them no other way of subsisting, but Begging; and yet we rarely found, that any of them gave a Farthing to the most necessitous Protestant Beggar: They did not look on themselves, at least did not act, as if they had owed Faith, Truth, Justice or Civility to any Protestant. They affronted, abused, betrayed and imprisoned every Body that would not be as wicked and as irreligious as themselves. They often drank Damnation and Confusion to all Hereticks, especially to the Prince and Princess of *Orange*; and not content with this, if any Protestant chanced to be in company, they would endeavour to force it on him, and abused or imprisoned him for his refusal.

4. When they came to put in for Possessions of their ancient Estates, it was frequently observed, that several put in for the same Estate, and pretended to be the Sons or Descendents of the Proprietors; insomuch that four or five Affidavits, point blank contrary to one another, have been produced in Chancery at the same time; the Chancellor was a little at a loss what to do, till a Protestant Lawyer told him, there was a Survey taken of the Kingdom, in which Twelve Men upon their Oaths had returned, who was Proprietor of each parcel of Land in 1641. This he found to be a more certain Rule, than a thousand Affidavits; so little value had the King's Courts, and his Popish Chancellor, for the Oaths of those persons whom King *James* chose to employ and cherish instead of Protestants. The truth is, they were People that made no distinction between Right and wrong, but as they served their Interest, and therefore he chose them purposely to destroy the Liberties and Laws of the Kingdom in general, and the Protestants in particular; and no body can deny, but they were well chosen for the Work for which he designed them, and unfit for any else.

## S E C T. VIII.

IV. King James's Officers were of such a Genius and Inclination, as led them to destroy the Laws, Liberties and Religion of the Kingdom,

1. **W**Hoever will be at the pains to look back on the State of *Ireland*, before it was conquered by the *English*, will find, that the Heads of Septs were absolute over their Tenants; their Wills passed for Laws, and all their Proceedings were meerly arbitrary and despotick. This was the ancient Constitution of *Ireland*, and the *English* who came over at first, had, by their Conversation with the *Irish*, learn'd much of their Manners: They made their Tenants Vassals and Slaves, as much as the *Irish* had been to their Chiefs; except in the *English* Pale (which was a Scope of Ground that reached about twenty Miles from *Dublin*) and even in some places there, the Tenures of the Country Farmers. were exactly that which the Law of *England* calls Villenage; the Tenant having nothing he could properly call his own. Whatever the Landlord had occasion for, he sent to his Tenants House, and caused it to be brought to him without consideration or allowance; or, if he pleased, he went to the Tenants's House with his Retinue, and there staid as long as he thought fit, eating and drinking, and using every thing the Tenant had as his own. This Practice was called *Coshering*, and several Laws have been made against it.

2. The old Landlords that had not forfeited their Estates in 1641, still kept up this way of dealing with their Tenants, tho' secretly; and were so burthensom to them by their Exactions and *Cosherings*, that the Tenants were miserable and poor, and their Estates unimproved; whereas the *English*, and those that had *English* Education, and took to their manner of Living,



were content with their Rents from their Tenants; who by that means were able to live well, grow rich, and improve their Farms. The Native *Irish*, who hapned to fall under a Protestant Landlord, would hardly ever after be persuaded to come under one of his own Religion; a little Experience sufficiently shewing unto him the difference between a Landlord, who required no more than his Due, and the old petty Tyrants, that claimed not only a Right to all his Tenant's Substance, but likewise a power over his Life.

3. But many of the old Landlords lost their Estates by Outlawries and Attainders, for their Rebellion in the Year 1641, and for their murdering the Protestants at that time. Many of them had sold their Estates, and some had mortgaged them for more than their value two or three times to several persons; a Practice very common in *Ireland*: But it is observable, that it is the humour of these People, to count an Estate their own still, though they have sold it on the most valuable Considerations, or have been turned out of it by the most regular Proceedings of Justice; so that they reckon every Estate theirs, that either they or their Ancestors had at any time in their possession, no matter how many years ago. And by their pretended Title and Gentility, they have such an influence on the poor Tenants of their own Nation and Religion, who live on those Lands, that these Tenants look on them still, tho' out of possession of their Estates, as a kind of Landlords; maintain them after a fashion in Idleness, and entertain them in their *Coshering* manner. These Vagabonds reckoned themselves great Gentlemen, and that it would be a great Disparagement to them to betake themselves to any Calling, Trade, or Way of Industry; and therefore either supported themselves by stealing and torying, or oppressing the poor Farmers, and exacting some kind of Maintenance, either from their Clans and Septs, or from those that lived on the Estates to which they pretended. And these pretended Gentle-

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men together with the numerous *Coshering* Popish Clergy that lived much after the same manner, were the two greatest Grievances of the Kingdom, and more especially hindred its Settlement and Happiness. The Laws of *England* were intolerable to them both, nor could they subsist under them.

4. As to the Popish Landlords, who yet retained their Estates, it put them out of all patience, to find that the *Bodough* their Tenant (so as they call the meaner sort of People) should have equal Justice against them, as well as against his Fellow *Churl*; that a Landlord should be called to an account for killing or Robbing his Tenant, or Ravishing his Daughter, seemed to them an unreasonable Hardship. It was unsufferable to Men that had been used to no Law, but their own Will, to be levelled with the Meanest in the Administration of Justice; and every time they were crossed by a Tenant that would not patiently bear their Impositions, they cursed in their Hearts the Laws of *England*, and called to mind the glorious Days of their Ancestors, who, with a Word of their Mouths, could hang or ruin which of their Dependents they pleased, and had in themselves the power of Peace and War.

5. This Humor in the Gentry of *Ireland* has from time to time been their Ruin, and engaged them in frequent Rebellions, being impatient of the Restraint the Laws of *England* put on their Power, tho' they enjoyed their Estates: And they still watched an opportunity to restore themselves to their petty Tyrannies, and were ready to buy the Restitution of them at any rate. The other sort of Gentlemen I mentioned, as they called themselves, who were outed of their Estates, as well as of their Power, by the same Laws, hated them yet worse; and their Clergy pushed them on with all the Arguments that ignorant Zeal or Interest could suggest: Insomuch that all sober Men, as well as Protestants, reckoned these the sworn Enemies of the Laws and Liberties of the Kingdom; and were assured, that they

would stick at no conditions to destroy them, their Interest, Inclination and Principles, all concurring to engage them to do it.

6. Now these very Men were the Officers and Instruments King *James* employed and trusted, above all others. He espoused their Interest from the time that he had thoughts of the Crown; they were his Favourites and Confidants; and to provide for them he turneth his *English* and Protestant Subjects, first out of the Army, then out of their Civil Trusts and Employments, and lastly out of their Fortunes and Estates. He knew very well, that the Tempers and Genius of those Men were at enmity to the Laws, and fitted for that Constitution of Slavery, under which he designed to bring the Kingdoms. He found that none were more fawning to their Superiours than they, nor did any flatter with more Meanness and Servility: And according to the nature of such People, none are more insolent and Tryannous to their Inferiours. And this was the reason that they were so dear to King *James*, and that he preferred and trusted them rather than his Protestant and *English* Subjects. The Bargain between him and them was plainly this, *Restore us to our former Power, Estates and Religion, and we will serve you as you please, in your own way.* An Expression that King *James* and all his Creatures often used, and were very fond of.

7. These People found, that the King's Legal Power could never restore them to the condition at which they aimed; that the Power and Station they desired, was absolutely contrary to the Laws in being; and that no Legal Parliament would ever alter the Laws and Constitution of the Kingdom to gratifie them. No wonder therefore if they espoused and promoted an absolute and despotick Power in the King, and if he and they concurred so heartily to introduce it. To do them Justice, they made no Secret of it, put professed it publicly, and on all occasions; and accordingly practised it in their several Stations. They reckoned, and called every one

a Whig and Rebel, that talked of any other Law than the King's Pleasure. They were liberal of their Curses and Imprecations on all occasions; but they exceeded and became outrageous against any one that durst alledge, that their Proceedings were against Law: *Dam your Laws*, was frequently their word, *it is the Kings Pleasure it should be so: We know no reason why our King should not be as absolute as the King of France; and we will make him so before we have done.* Nay, so extravagant were many of them, that they would swear with repeated Oaths, That all Protestants were Rebels, because they would not be of the King's Religion. An Expression, I suppose, they learned from the *French Dragoons*.

8. Some would undertake to argue the Case with such as seemed more moderate amongst them, and put them in mind of the possibility of the Change of the Government; and that then the Argument would be good against themselves: But they had not patience to hear any such thing mentioned. And they generally Swore with the most Bloody Oaths and bitter Imprecations, That they would never subject themselves to any King that was not of their own Religion; and that they would lose the last drop of their Blood, rather than part with the Sword and Power put into their Hands, on any consideration whatsoever. These were not the Discourses of one or two hot-headed Fellows amongst them, but they universally talked at this rate. And it was the common and encouraging Speech of the Earl of *Tyrconnel*, from the very beginning of his Government, and particularly when he took leave of several Privy Councillors and Officers at his going to wait on King James at *Chester*, August 1687: *I have put the Sword into your hands: And then in his usual Stile, pray'd God to damn them all, if ever they parted with it again.*

9. 'Tis further to be remembred, that their Predecessors were so eager and earnest to recover this Power over their Vassals, and to establish their Religion, that

they attempted to gain their Designs by that Bloody Rebellion and Massacre in the year 1641. An Attempt no less desperate and unlikely to succeed than wicked; and when their own Power appeared insufficient to gain their ends, their supreme Council at *Kilkenny* sent Commissioners with Instructions to offer up the Kingdom and themselves to the Pope, the King of *Spain*, or any other Foreign Popish Prince that would accept the Offer. This was very well known to King *James*; he was at the Council-Board when the original Instructions, signed by order of the Supreme Council that then managed the Affairs of the Roman Catholicks of *Ireland*, were produced before King *Charles II.* and his Council in *England*, in the year 1662; empowering their Agents to this effect: And he might very well conclude that they who were willing to submit themselves to a Foreign Power, to be rid of the Laws of *England*, would heartily joyn with him to destroy them.

10. Whosoever will consider Circumstances, and lay things together, will be apt to believe what is averred by some, that King *James* before he declared his Religion, had a desire and resolution to destroy the Laws and Liberties of these Kingdoms, and make himself absolute, if ever he came to the Crown, after the manner of *France*; and that the great motive of declaring himself a Roman Catholick at first, was to make sure of that Party: There are several things that rightly weighed will make this probable.

1. If we consider that no Party amongst us was likely to be so wicked, as to have bought his favour by joyning with him in such a Design, except the Papists.

2. Amongst Papists he chose out those, and preferred them which he thought would be most Cordial to him, and serve him most effectually in that Design. There can be no other Reason given, why he should be fonder of the *Irish* than the *English* Papists, but that he thought the one more likely to go through with him than

than the other. The *English* Papists are as Zealous in their Religion as the *Irish*, and generally more honest Men, yet the King rather chose to Cherish and Employ the latter. The only imaginable Reason of his doing so was because the *English* were not so ready to give up the Laws and Liberties of the Kingdom to the Prerogative, as the *Irish*; and since King *James*'s kindness was distributed according to the readiness he found in Men to betray their Country, rather than according to their Zeal for their Religion, have we not reason to conclude the first to be the true motive of his kindness rather than the later?

3. Those Protestants, or pretended Protestants, that cordially and heartily espoused this design, and served him effectually to oppress and ruin their Fellow Subjects, kept his favour pretty well, and were Employed by him, notwithstanding their being reputed Protestants; a certain sign that the Reason he discharged Protestants from their Trusts and Offices was chiefly because he thought they would not serve him, as he expressed it, *without reserve*, or contribute heartily to inflave themselves and their Posterity.

4. He often declared, and more especially in his Act for Liberty of Conscience made in this Parliament in *Ireland*, that it was his constant Resolution that there should be no other Test or Distinction amongst his Subjects but that of Loyalty; by which all knew that he meant an absolute submission in every thing to his Will; for he accounted every Body disloyal that disputed or demurred at any of his Commands.

5. As soon as the *Irish* began to dispute his Orders, and stand on the Laws, he took it hanioussly from them; and they lost much of his favour; he spake hardly of them and wished at any rate to be rid of them: When the House of Commons crost some proposal of his, he was very much out of humour, and declared that all Commons were the same, as he found by them: When they quarrelled with the Earl of *Melford*, his Secretary



tary of State, he complained that they used him basely and unkindly, and that he never would have come amongst them if he had thought that they would not let him choose his own Servants: When they would not suffer him to Dispense with their Act of Attainder, or Pardon any Attainted in it, with a *non obstante*, he is said to have fallen into so violent a Passion that his Nose fell a bleeding. He was very angry with some of his Council when they demurred at his Levying twenty thousand pounds *per* Month without Act of Parliament, and said he could do nothing if he could not do that. From whence we see that he reckoned all his Power nothing except he could impose Taxes as the King of *France* doth; and that this lay at the bottom of all his Designs. Nay, it was commonly reported by the Roman Catholicks, that King *James* boasted and pleased himself mightily that he had made himself Absolute, which none of his Predecessors could do; and had a more numerous Army than any of them, and consequently was a more glorious King. If then his chiefest design was to oppress our Laws and Liberties, no body can doubt but he had Instruments whose Genius and Temper inclined them to assist him, as long as they were like to go sharers with him in the Purchase.

## S E C T. IX.

*V. The Officers employed by King James were most of them unqualified by Law, and consequently fit Instruments to destroy the Laws.*

1. **M**EN may live very comfortably in a Nation, and yet be excluded from the Power or Government of it; therefore it is no injustice to exclude a certain Rank of Men that want such Qualifications as may give the Common-Wealth confidence in them, from intermeddling in the Government. Of this Nature



true we have had Laws in all Countries in the World, and whatever be pretended they are very often both just and necessary; nor is it reasonable that the King should have a Power to dispense with such; since they are often made on purpose to secure the Commonwealth against his encroachments. Of this Nature are our Laws that disable Papists from all Employments Civil and Military; by an Act of Parliament made in the Reign of *Henry VIII.* no Man is 28 Henry 8. cap. 13. to execute any Employment till he has taken the Oath of Supremacy. This is repeated and confirmed by another in the second of *Elizabeth.* 2 Elizabeth cap. 1. And here it is observable how they evaded this Statute. It positively requires that every Officer shall take and receive a Corporal Oath there set down; and if any refused to take it, then he is to forfeit whatever Office he hath at the time of the refusal, and be disabled to retain or Exercise any Office. Now to elude this Law, the Oath was never tendered to their new Officers, and consequently, said they, they never refused it, neither are they liable to the Penalties of this Act. This was plainly against the design of the Statute, a playing with the Words of it, and shewed us that all Laws were insufficient to secure us against such Jesuitical Prevaricators. By an Act made in the time of *Henry VII.* it is Treason 10 Henry 7. cap. 13. to stir up the Irish Country to War against the English: and by several other Laws made both in *England* and *Ireland*, the Papists, especially the *Irish*, are disabled to hold Places of Power or Trust: And particularly Papists are excluded from Freedom in Corporations, by a Clause in the Act of Settlement, on which the new Rules for Regulating Corporations, made by the Earl of *Essex*, at his first coming to the Government, are founded. Now so great was King *James's* Passion for these People, that he was not content to have them about him to shew them Countenance and Favour; but in defiance of so many Laws, he would needs thrust them

them into the Government, and set them over Protestants, who in making those Laws had resolved not to be Governed by them; and the Laws themselves being designed to exclude them, we must not imagin that King *James* made this bold adventure for nothing, or that he would disoblige the Body of his People, without designing some signal advantage to himself by it: He must have some peculiar service for these unqualified Persons, to do, in which the rest of the Nation would not assist him; and that could be nothing else but the destruction of their Laws and Religion; for in every thing else they were rather too ready to comply with him; but those that came into their Places of Trust and Profit, in defiance of the Laws, merely by his Favour, must be engaged as deeply as he, to support the Power that preferred them, and destroy the Laws that laid such Bars in their way to Honour and Profit. The Contest is here between our Laws, Religion and Liberties, on the one side, and the Kings Power on the other; and the King was sure that those to whom the Laws were Enemies, would likewise be Enemies to the Laws, and never stick at any thing to support the Power that made them what they were; if they should, they must needs sink, having nothing else to support them besides it. Whoever therefore accepted any Place or Preferment against the Laws, did thereby oblige himself to a boundless submission to all the Kings Commands, and to Execute them however illegal; and consequently was become a fit Instrument to Sacrifice the Laws and Religion of the Kingdom to the Will of his Sovereign. If therefore King *James* designed the destruction of these, as I suppose is apparent that he did from what has been said in this Chapter; we have no Reason to imagin that he would not have been able to compass his Design for want of Assistants to Execute it, having so many fitted to his Hand in this Kingdom,

2. And

2. And this answers that Objection which we hear from some who will not understand our Circumstances, but tell us that we ought to have had Patience, and let King James take his course; for though he had destructive Designs, yet he was but one Man, and could not execute them against us in his own Person, nor procure others to execute them for him; since all Men would be afraid to obey his illegal Commands, as long as they could not but know that they were accountable to the Laws for every thing done against them: But it appears from the account I have given of those Persons whom King James employed, that they neither knew, nor feared, nor cared for the Laws. And that their Business and Enmity was as great against them, as against us, being resolved to destroy both together; which they had effectually done, had not God sent us a Deliverer to prevent it.

### CHAP. III.

*King James not only designed, but attempted, and made a considerable progress in our Destruction.*

#### SECT. I.

*The Introduction to the proof of this Head, grounded on a short view of the State of Ireland, at the time of King James's coming to the Crown; and of the vain assurances Protestants gave themselves of Security from the consideration of their Merits towards him; the repute of his good Nature, and his own true Interest.*

1. **T**HE destruction of a People is so horrid a thing, that it is not easie to persuade a good natured Man that such an unnatural design, can enter into any ones heart: And we our selves though almost ruined, dare hardly relate it to others, lest they should

should not believe us. It is certain, that if the Protestants of these Kingdoms could have believed that King *James* would have attempted what he did, they would never have entred into such Feuds against their Fellow Subjects and Friends, to prevent his Exclusion. But their Zeal for the Monarchy and Succession, made them willing to overlook the danger; and they persuaded themselves, that the absurdity and difficulty of the thing, would keep him, if he came to the Crown, from attempting it, notwithstanding they knew that his Principles inclined him, and his Counsellors would prompt him to it. I question much if any thing but sad Experience would ever have opened the Eyes, or convinced the generality of these Nations, that his Designs were such as we found them in the event: And perhaps it is worth all our Sufferings, though very heavy, to have learned (as we have done) by this Example, never to trust Men of King *James's* Principles and Religion with a Power that may destroy us; since it appears in him, that no Interest, Difficulties, or Obligations are sufficient to hinder such from employing that Power to effect it. No Man could be under deeper Obligations to use his Power with Moderation, than King *James* was; yet in the short time he possessed it, he employed it with so much diligence and earnestness to destroy us, that he in a great measure accomplished it; and we must thank God only, and his present Majesties victorious Arms, that saved us from a total and final Destruction, to which we were so manifestly devoted. To make this appear, it will be necessary to take a short view of the State of *Ireland*, at, and since King *James's* coming to the Crown, and by the Alteration he introduced, it will plainly appear what he designed. At his coming to the Crown, *Ireland* was in a most flourishing condition: Lands were every where improved, and Rents advanced to near double what they had been in a few years before; the Kingdom abounded with Money, Trade flourished, even to the Envy of our Neighbours; Cities, especially *Dublin*, increased

exceed-

exceedingly; Gentlemens Seats were built, or building every where, and Parks, Enclosures, and other Ornaments were carefully promoted; insomuch that many places of the Kingdom equalled the Improvements of *England*. The Papists themselves, where Rancour, Pride or Laziness did not hinder them, lived happily, and a great many of them got considerable Estates, either by Traffick, by the Law, or by other Arts and Industry.

2. There was a free liberty of Conscience by connivance, tho' not by the Law; and the King's Revenue increased proportionably to the Kingdoms Advance in Wealth, and was every day growing: It amounted to more than Three hundred Thousand Pounds *per Annum*, a Sum sufficient

Lord Clarendon's Speech at giving up the Sword to the Earl of Tyrconnel, and the Abstract of the Revenue for 1685.

Appendix, N. 5, & 6.

to defray all the Expence of the Crown, and to return yearly a considerable Sum into *England*, to which this Nation had formerly been a constant Expence. If King *James* had minded either his own Interest, or the Kingdoms, he would not have interrupted this happy Condition. But the Protestants found, that neither this, nor the Services of any towards him, nor his own good Nature, were Bars sufficient to secure them from Destruction.

3. It is certainly the Interest of all Kings to govern their Subjects with Justice and Equity: If therefore they understood or would mind their true Interest, no King would ruin any of his Subjects; but it often happens, that either Men are so weak that they do not understand their Interest, or else so little at their own Command, that some foolish Passion or Humor sways them more than all the Interest in the World; and from these proceeds all the ill Government which has ruined so many Kingdoms. Now King *James* was so bent on gaining an absolute Power over the Lives and Liberties of his Subjects, and on introducing his Religion, that he valued no Interest when it came in competition with those.

4. Every

4. Every Body that knew King *James's* Interest, and the true Interest of his Kingdoms, knew that it concerned him to keep fair with Protestants, especially with that Party who were most devoted to him, and had set the Crown upon his Head; and this had been, in the Opinion of thinking Men, the most effectual way to enlarge his Power, and introduce his Religion; but because it did not suit with the Methods his bigotted Counsellors had proposed, he took a Course directly contrary to his Interest, and seemed to take a peculiar pleasure in affronting and oppressing those very Men, whom in Interest he was most concerned to cherish and support.

His Proceeding thus in *England* was visibly the Cause of his Ruin; he had left himself no Friend to stand by him, when he stood in greatest need of them. Upon his coming to *Ireland* the Protestants had entertained some favourable Hopes, that he would have seen, and been convinced of his Error, and would now at last govern himself by other measures; it was manifestly his Interest to have done so, and nothing in probability could have allayed the Heats of *England* and *Scotland* so much as his Justice and Kindness to the Protestants of *Ireland*, nor could any thing have had so much the Appearance of an Answer to those many and evident Arguments, by which they demonstrated his destructive Designs against those Kingdoms, as to have had it to say, that in *Ireland*, where it was in his Power, he was far from doing what they surmised he intended to do in *England*; or if he had ever any such Intentions, it was plain he had now altered them. These things were laid before him by some that wish'd well to his Affairs, and had more Prudence than his furious and bigotted Counsellors; and sometimes they seem'd to make Impressions on him; but the Priests and needy Courtiers, who had swallowed in their Imaginations the Spoils and Estates of the Protestants of *England*, as well as of *Ireland*, could not endure to hear of this. They seemed mightily

mightily afraid lest he should be restored to his Throne by consent of his Protestant Subjects: *For if so* (said they) *we know it will be on so strict Conditions, that we shall gain but little by it, it will not be in his power to gratifie us.* And not only they, but the Irish in general likewise endeavoured to make his Restitution by way of Articles or Peace impracticable and impossible. A Design so extremely foolish, that it is strange any should be found so sillily wicked as to promote it, or that King James should be so imposed on as to hearken to it; and yet it is certain he did, at least at some times, entertain it; and was heard to express himself to one that pressed him to Moderation to Protestants on this account; that he never expected *to get into England but with Fire and Sword.* However his Counsellors were not so weak, but they saw what disadvantage his dealing with the Protestants had on his Interest in *England*, and therefore they took care to conceal it as much as possible; they stopped all Intercourse as far as they could with *England*; they had a Party to cry up the Mildness of King James's Government towards the Protestants; to applaud the Ease, the Plenty, the Security in which they lived, and to run down and discredit all Relations to the contrary, that came from *Ireland*. These endeavoured to persuade the World, that there was no such thing as a Bill of Attainder, or of Repeal; no Act taking away the Preferments or Maintenance of the Clergy, nor any Imprisonment or Plundering of Protestants; no taking away of Goods by private Orders of the King, or levying of Monies by Proclamations. In short, they did that which on all occasions is the Practice, and indeed the support of Popery. They endeavoured to face down plain Matter of Fact with Forehead and Confidence, and to persuade the World, that all these were meer Forgeries of King James's Enemies. As many as believed these Allegations of theirs, and were persuaded by them, that the Protestants of *Ireland* were well used by King James, were inclined to favour him;



a certain sign, that if they had been really well used by him, it would have gotten him many Friends, and perhaps reconciled some of his worst Enemies. But the Design entertained by him and his Party required the Ruin of Protestants, and of their Religion; whereas his Interest required, That it should not be believed that he designed either; and therefore care was taken to prosecute the Design with all eagerness, and deny the Matter of Fact with all Impudence; and his Majesty took care to promote both: For he ruined the Protestants of *Ireland* by his Acts of Parliament, and by the other Methods we shall hereafter speak of; and by his Proclamations sent privately into *England*, to his Partisans there, assured the World, That the Protestant Religion and Interest were his special Care, and that he had secured them against their Enemies. It was his Interest to have done, as well as pretended, this; but the carrying on his Design was so much in his Thoughts, that he chose to sacrifice his Interest to do it.

5. And no wonder, if it be true, what is reported of him, That he resolved to die a Martyr, rather than not settle his Religion; and that he had rather die the next day, that Design being compassed, than live Fifty years without effecting it. All which sufficiently explains that which seemed a Riddle to many, how King *James* should be so very hard on his Protestant Subjects, when his Interest required, that he should treat them with all imaginable kindness; especially in the present Circumstances of his Affairs, whilst in *Ireland*. The Reasons of his acting contrary to his Interest in so palpable an Instance, were either from the Persuasions of his ill Counsellors, who assured him, That they would so order the Matter, that what he did in *Ireland* should not be heard of, or not be believed in *England*; or else from a setled Resolution, not to mind any Interest which came in competition with his grand Designs of advancing Popery, and the Slavery of the Nations. To effect which, it is manifest he was content to be a Vassal to *France*: For whosoever

calls in a potent Neighbour to his assistance, must reckon that will be the consequence, if he get the better by his Means ; of which the *Irish* themselves were sensible, when they saw the *French* Succours landed ; and the Protestants could not but conclude, That King *James* was so intent upon destroying them, that (so he compassed that Design) he cared not if he enslaved himself and the Kingdoms.

6. Nor had the Services of any towards him, more influence on him than his own Interest. Never had any Prince fairer Opportunities to distinguish his Friends from his Enemies, than King *James* ; the struggle he had to get the Crown was so long, and the issue so doubtful, that there was no Temptation for any one to dissemble his Thoughts towards him ; and never had Subjects a fairer opportunity to serve and merit from a Prince. Now his Carriage to those that then proved his Friends, who against their own Interest, and against the Endeavours of the most powerful, and most diffused Faction that ever appeared in a Kingdom, set the Crown on his Head, is a plain demonstration of what Force, Merit or Service were with him, towards altering his private Designs. No sooner did it appear, that those who were against the Exclusion, designed to preserve the Kingdom, as well as the Succession ; but he abandoned them, and not only laid them aside, but farther exposed them to the Revenge of those very Men that they had provoked by espousing his Quarrel. It is no News to any, how King *James* cast off his falsest Friends, when he saw that they would not proceed after his Measure, to destroy the Liberty and Religion of their Country ; and took into his Bosom and Council those that had been his most bitter Enemies, when he perceived, that they would assist him in that Design. Which is a plain demonstration, that he had no regard to Services or Merit, further than they tended to enslave the Nations, and destroy the settled Religion. But no Protestant that had any value for his God, his Conscience or Country, could pre-

tend to this Merit; and therefore in the King's Opinion he could do nothing that his Majesty would count a Service.

King *James* had no desire to be served by Protestants, as was manifest by his turning many out, for no other reason, but because they would not change their Religion. By preferring Papists to all Places of Trust and Profit, tho' not so deserving or well qualified for them, 'as those that possessed them. By his declaring, that he would have all that did *eat his Bread, of his own Religion*. If therefore he employed any, it was for a colour, either to cover his Partiality, or because he could not find a Papist fit for their Places, or because he believed, that in time he might gain them to be of his Religion; or lastly, because he had some odious Work to do, which he thought he could the better excuse, if he could get a Protestant to do it; where these Reasons ceased, he never employed any. But it is observable, where he did employ them, though their Places were considerable, yet they never had the Interest with him, or Power proper to their Place, but were meer Cyphers in it. Thus he made *Sir Edward Herbert* Chancellor of *England*, and caused a Seal to be cut for him; but he never allowed him that Interest with him, or had that regard for him in Councils that his Place required. The puny Papist Judges had more influence on the King, and could make bolder with him than he; he was not admitted to the Secret of Affairs at all, and at the publick Councils he was set below *Fitton*, Chancellor of *Ireland*, and several others; whom I am informed, whilst employed as Chancellor of *England*, and in his Masters presence, he ought to have preceded. But generally Protestants were only admitted to inferiour Places, and for the most part with a Companion; and they had only the Name, their Companions must do all, and they durst not contradict them; and tho' they were intituled to Rise according as Vacancies fell, yet some inconsiderable

Papist

Papist was sure to get the start of them, and to be put over their Heads; so that it was never in their power to serve the King considerably, or merit at his Hands.

If they did chance to do any thing signal, yet their Enemies had so much the advantage of King *James's* Ear, that they were sure to be misrepresented; and what those said, having the dead Weight of Religion to help it, did generally with him, outweigh the Protestant Service. Of this Sir *Charles Murry* is an Instance; he followed King *James* through *France* to *Ireland*, and all along appeared zealous for his Service. Yet because he professed himself a Protestant, upon his Landing at *Kinsale*, some that had an ill Will to him prevailed with the King to clap him up a Prisoner in the Fort of *Kinsale*, where he lay without being able to learn any Reason for his Confinement, from the twelfth of *March* 1682, till toward the end of the following Summer; and then they had occasion for him to help to order their Camp, and fortifie *Ardee*, which procured him his Liberty; tho' he never could have the satisfaction to learn either his Crime, or his Acuser.

My Lord *Forbess*, Son to the Earl of *Granard*, is another remarkable Instance: When the pretended Parliament sate in *Dublin*, both Houses were informed, that my Lord *Forbess* adhered to King *James's* Interest in *England*, and that he was a Prisoner in the *Tower* upon that account, his Friends thought it proper to improve this occasion with the King, and the Parliament, to save my Lord's Estate at *Mullingar*, which he holds under the Act of Settlement. And this seemed the more feasible, because the Lands did, if not all, yet for the most part, formerly belong not to private persons, but to a Corporation. But all the Interest could be made, did not prevail, all that could be obtained, was a Clause implying, that the Commissioners that should be appointed to execute the Act, should set him out a

Reprizal under the same Limitations, under which he held the Town and Lands of *Mollingar*; which (as one of the Houses of Commons expressed it) was a *Mouthful of Moonshine*: So little regard was had to the Services or Merits of Protestants.

6. And they had no reason to expect it should be otherwise; for there was no regard had to the most considerable Papists, where their Interest interfered with the general Design. It was resolved to destroy the Act of Settlement, the Foundation of the *English* and Protestant Interest in *Ireland*. This brought along with it Destruction to many Papists that had Estates under it, which they had purchased since the year 1662, as well as to Protestants. Those Papists were very numerous, and more wealthy than the rest (especially in *Connaught*) and they were likewise very zealous for King *James*, and many of them in his actual Service, and venturing their Lives for him, at the time of passing the Act of Repeal; yet this did not hinder him from giving away their Estates by that Act to the old Proprietors.

In short, If serving King *James* truly and faithfully, even to their own prejudice, whilst it was for his Advantage and his Circumstances needed their Service, could have merited his Favour, most Protestants had supererogated; but all this passed for nothing with him, he would be *served his own way*; that is, he would have Protestants been active to destroy their Properties, Liberty and Religion; he would have had them lend their Hands to tie the Chains of Slavery for them and their Posterity, to which they had already contributed too far to oblige his Humor, both before and after his coming to the Crown against the common Interest of the Kingdom. Nothing less than the same blind Obedience would serve him in the State, which his Clergy require in the Church, which we would not by any means pay him; and therefore, it was in vain for us to think of preserving our selves by any Merit or Service

Service we could render him; he did not think any thing a Protestant could do with a good Conscience, to be a Service. And if we did all was required, yet there never wanted persons about his Majesty who had Malice enough towards us, and Interest enough with him, to misrepresent our most meritorious Actions.

8. Nor was the good Nature and merciful Disposition of King *James* any greater Security to the Protestants of *Ireland*, than their own Merits towards him. There are, 'tis true, Kings in the World, that have an Absolute Power over the Lives and Liberties of their Subjects; and yet govern them with such Justice and Mercy, that they suffer very little inconveniency by it: But the Examples of this kind are so very rare, that it is ill trusting any one with such a Power. King *James's* Partizans made it their Business, to represent their Master as the most merciful and justest Prince in the World; and then they railed at us that grudged to lay our own and our Posterities Lives and Liberties at his Feet. Perhaps if he alone had been to have had the Disposal of them, and would have followed his natural Inclinations, we should not so much have feared to have trusted him; but whilst he had such Ministers about him, and embraced a Religion of such Principles as he professed, we had no Reason to depend much on his natural Clemency or Inclination, for these were sufficient to corrupt the best natured Man in the World.

9. No doubt but *Charles* the Fifth of *Germany* was of as compassionate and generous a Nature as any Man; yet that did not keep him from making havock of his Subjects on account of Religion; besides all his Wars and Bloodshed to suppress the Reformation, he destroyed by way of legal Process Fifty thousand in the Inquisition, a Barbarity I believe, hardly equalled by *Nero*. *Francis* the First of *France* was a Prince equal to him in Generosity and Nobleness of Nature; and yet he made no less Havock and Destruction in his Domini-

ons on the same Account. The present *French* King is a Demonstration, that neither Love of Glory, nor of Interest, neither Greatness of Mind, nor goodness of Nature, are Antidotes against the Force of the Romish Principles, or can restrain the Prince that has thoroughly imbibed them, from Blood and Persecution; otherwise he would never have made himself infamous by such horrid Cruelties as he has committed on his Protestant Subjects, or brought an indelible Blot on a Reign which he would fain have represented to be more glorious than any of his Predecessors.

It is not necessary that what has been said should bring in question the good Nature or merciful Temper of King *James*, tho' we confess we were unwilling to trust it too far. We had before our Thoughts the Proceedings in the West of *England*, where we saw his Clemency did not interpose, but suffered more to be Prosecuted, Tried, Condemned and Executed for that one Rebellion (and yet it was not so considerable as many others) than perhaps had suffered in that manner for many of the Rebellions since the Conquest. We found that he consented to attaint about Two thousand five hundred of the most considerable persons of this Kingdom; and that his good Nature might not be a Temptation to pardon them, he put it out of his power to do it by the same Act. After his coming into *Ireland*, very few Pardons passed the Great Seal, perhaps not three; nor had many so much as the promise of a Pardon given them, tho' very many needed and desired it.

Many of the Country People, who were not of the Army, were brought up Prisoners; they pleaded that they were not concerned in the Wars, that they lived in their Houses, and on their Farms, and submitted only to the stronger, without engaging in the Cause; but all to no purpose: They were used worse than the Soldiers who were Prisoners, and suffered to starve in Gaols, if the Charity of their Fellow-Protestants had not



not relieved them. Many who were wronged and oppressed petitioned his Majesty for Redress, but their Petitions were rejected, at best mislaid; and the Petitioners were so far from obtaining any Answer, that they often could never hear what became of their Petitions.

10. The chief Counsellors of the King were the Popish Clergy, and the Descendents of such as had shed the Blood of so many Protestants in the year 1641, who then ruined and destroyed the Kingdom, and made it a heap of Rubbish, and a Slaughter-house; and whilst he hearkned to the Suggestions and Councils of such, it was not possible for him to exert his good Nature and Clemency towards us.

It was the continual Business of these Counsellors to incense the King against us, to represent us as People unworthy of any Favour, Humanity, or Justice; that we were all Rogues, Villains and Traitors, and not fit to be allowed the common Offices of Humanity. This Chancellor *Fiston* declared on the Bench. This the Kings Favourites and Attendants suggested publickly to him at his times of Eating, at his *Couchee* and *Levee*, and upon all occasions.

However it was, it is evident by the effect, that King James in great measure compleated the Ruin of the Protestants and English Interest in this Kingdom; which will plainly appear, 1. In his dealing with the Army. 2. With the Courts of Judicature. 3. With the Privy Council and Officers. 4. With Corporations. 5. With Trade, and the trading People of the Nation. 6. With our Liberties. 7. With our Fortunes. 8. With the Lives of his Protestant Subjects. 9. With their Religion.

## S E C T. II.

1. King James's Dealing with the Army of Ireland, in order to destroy the Protestant and English Interest.

1. **T**HE Army of Ireland which King James found at his coming to the Crown, consisted of about seven thousand, as Loyal Men, and as Cordial to the King's

King's Service as any one could be; both Officers and Soldiers had been inured to it for many years. They looked on him as their Master and Father, intirely depending on him, and expecting nothing from any Body else. When *Monmouth's* and *Argile's* Rebellion called for their assistance to suppress them, no People in the World could shew more chearfulness, or Forwardness, than they did; and it is observable, that no one Man in *Ireland* was ever found to be conscious or consenting to those Rebellions; the Protestants of all sorts shewed great Horrour and Detestation of them, and were discernably melancholy till the Rebels were suppressed. Most of the Officers of this Army had been so zealous to serve the King, that they had by his permission and encouragement bought their Employments; many of them had laid out their whole Fortunes, and contracted Debts to purchase a Command; yet no sooner was King *James* settled in his Throne, but he began to turn out some of the Officers, that had been most zealous for his Service, and had deserved best of him, meerly because they had been counted firm to the Protestant Religion and *English* Interest. The first who were made Examples to the rest, were the Lord *Shannon*, Captain *Robert Fitz-Gerald*, Captain *Richard Coote*, and Sir *Oliver S. George*. The three first were Earls Sons, who either in their own persons, or by their Fathers and Relations had been signally active in restoring King *Charles* the Second, and the Royal Family, to their just Rights, 1660; so had Sir *Oliver S. George*: And they were all of them without any other Exception, but their Zeal for their Religion, and the *English* Interest in *Ireland*. But the common Saying was, that King *James* would regard no man for any Service done to him, his Father or Brother, but only for future Service that he expected from them: And since he could not expect, that these Gentlemen should assist him to destroy the Protestant Religion, or the Liberties of his Subjects, which was the Service he then expected, he took their Troops from them, and gave them

them to persons of mean or broken Fortunes, who must do any thing to keep them; some of them unqualified by Law. It is fit their Names should be known, that the Reader may the better observe what kind of change the King began with, when he substituted Captain *Kerney*, if I remember right, one of the Russians, Captain *Anderson*, a person of no Fortune, Captain *Sheldon* a professed Papist, and Captain *Grabam*, in the places of the Lord *Shannon*, Captain *Fitz-Gerald*, Captain *Coote*, and Sir *Oliver S. George*.

2. But to convince the World, that no Consideration was to be had of Loyalty or Merit, except a Man were a Papist: The Duke of *Ormond* was sent for abruptly, and deposed of the Government, with such Circumstances that did no ways correspond with the Service he had rendered the Crown

in general, and King *James* in particular. Immediately the modelling of the Army was put into the Hands of Colonel *Richard Talbott*, a person more hated than any other Man by the Protestants, and who had been named by *Oates* in his Narrative for this very Employment.

When therefore the Protestants saw him put into it, many who believed nothing of a Plot before, gave credit now to his Narrative, and the common Saying was, That if *Oates was an ill Evidence, He was certainly a good Prophet*. Colonel *Talbott*, afterwards Earl of *Tyrconnel*, knew the Necessity of having the Army fitted to his purpose, it being the Engin he depended on for the destroying the Religion, Liberty, and Laws of the Kingdom; and therefore set about it with all expedition, and prosecuted it in such a manner as might be expected from a Man of his insolent Temper. He exercised at the same time so much Falseness and Barbarity, that if the Army had not been the best principled with Loyalty and Obedience of any in the World, they would have muti-

By what Interest and for what Design he came to be employed, and at last to be made Deputy, will appear from the Copy of a Letter found amongst Bp. *Tyrrel's* Papers, his Secretary. 'Tis in the *Appendix*, N. 3.

mutinied, or at least dispatched him. In the Morning he would take an Officer into his Closet, and with all the Oaths, Curses and Damns, that were never wanting to him, he would profess Friendship and Kindness to him, and promise him the continuance of his Commission; and in the Afternoon cashier him, with all the Contempt he could heap on him; nay, perhaps, while he was thus caressing him, he had actually given away his Commission. The Officers of *Ireland*, then cashiered, and their Acquaintance, can vouch the truth of this in many Instances. As for the Soldiers and Troopers, his way with them was to march them from their usual Quarters, to some distant place where he thought they were least known, where they would be put to greatest Hardships, and there he stripped them: The Foot, of their Cloaths, for which they had payed; and the Troopers of their Horses, Boots and Furniture, bought with their own Money; and set them to walk barefooted one hundred, or one hundred and fifty Miles to their Homes or Friends, if they had any. Sometimes he would promise them something for their Horses; but then he told them, that they must come to *Dublin* for it: If any came to demand the small pittance promised them for their Horses or Arrears of Pay, he contrived it so, that they should be obliged to wait till they had spent twice as much as they expected; and most of them, after all, got nothing. By this means two or three hundred Protestant Gentlemen, who laid out all, or a good part of their Fortunes, and contracted Debts on Commissions, were not left worth any thing, but were turned out without reason or any consideration; and five or six thousand Soldiers sent a begging; a hardship perhaps never put on any Army before, without any provocation; against whom there was no other Exception, but that they were *Englishmen* and Protestants, and King *James*, by substituting *Irishmen* and Papists in their places contrary to the Laws, and to the very Design of keeping a standing Army in *Ireland*, clearly do-

demonstrated, that he had no regard to the Laws, or to the preservation of the Kingdom, and that he designed to advance the Popish *Irish* Interest in *Ireland*; which every body knows cannot be done without the utter ruin of the *English* Protestants.

3. Yet all this we patiently endured, and exercised our Charity in relieving the poor cashiered Soldiers, and in putting the ruined Gentlemen into a way of Subsisting; which was generally by sending them over Seas to Foreign Service; and perhaps their Clamours and Sufferings did contribute to move the Compassion of the Prince of *Orange*, our present Sovereign, and forward his Designs.

4. In the mean time, the new raised Forces and Officers being put into Arms and Command, to which they were Strangers, into good Cloaths, and mounted on Horses for which others had paid, behaved themselves with all the Insolence common to such sort of Men, when unworthily advanced. They every where insulted over the *English*, and had their Mouths continually full of Oaths, Curses and Imprecations against them; they railed on them, and gave them all the opprobrious Names they could; and if any Chastized them for their Sauciness, though ever so much provoked, they had the Judges and Juries on their side. They might kill whom they pleased without fear of Law, as appeared from Captain *Nangles* murdering his disbanded Officer in the Streets of *Dublin*; but if any killed or hurt them, they were sure to suffer; as Captain *Aston* found to his cost, who was hanged for killing a Papist, upon his abusing the Captains Wife in the Street. They immediately ruined all the Protestants Inns in *Ireland*, partly by oppressing them with Quarters, partly by paying nothing for what they had in their Quarters, and partly by driving away other Guests by their rudeness.

5. In this Insolence they continued and daily increased, till the Prince of *Orange* came into *England*.

But

But then new Commissions were issued out with all diligence, of one sort or another, sometimes five hundred in a day. All the Scum and Rascallity of the Kingdom were made Officers; every where the Papists arm'd and enlisted themselves, and the Priests suffered no man to come to Mass, that did not arm himself with at least a Skean and half Pike. The new Commissioned Officers were obliged without Pay to subsist their Men, as they termed it, for three Months, a thing impossible for them to do, since most of them were not able to maintain themselves. The better sort of their Captains and Inferiour Officers had been Footmen or Servants to Protestants. One Gentlemans Cowherd was made a Lieutenant, but he would fain have capitulated with his Master, to keep his place vacant for him, if his Commission did not hold. Most of them were the Sons or Descendents of Rebels in 1641, who had murthered so many Protestants. Many were Outlawed and Condemned Persons, that had lived by Torying and Robbing. No less than fourteen notorious Tories were Officers in *Cormuck O Neal's* Regiment; and when forty or fifty thousand such were put into Arms, without any Mony to pay them, we must leave the World to judge what Apprehensions this must breed in Protestants, and whether they had not reason to fear the Destruction that immediately fell on them; they saw their Enemies in Arms, and their own Lives in their power. They saw their Goods at the mercy of those Thieves and Robbers and Tories, now Armed and Authorized, from whom they could scarce keep them, when it was in their power to pursue and hang them. And they had all the Reason in the World to believe, That a Government that had armed such Men of desperate Fortunes and Resolutions, was so far from protecting them, which is the only end of all Government, that on the contrary it designed to destroy both their Lives and Fortunes. The latter of which, as will appear by the sequel, they have in a manner intirely lost.

6. I could never hear any thing pretended for these Proceedings, except it were either, 1. That the Army were the Kings Servants, and every Man may employ what Servants he pleases; or, 2. That Protestants would not concur with the King's Intentions, and therefore there was a necessity of dismissing them. And, 3. as to the general Arming the Papists, and Plundering the Protestants, that it was necessary in order to raise and encourage an Army, otherwise the King had had nothing to trust to.

7. As to the first of these, It is not true that every Man may entertain what Servants he pleases; because one ought not to entertain any that are not qualified as the Law requires. 2. If it were granted, that the Case were the same between the King and his Army, as between a Master and his Servants, and that a Master might entertain what Servants he pleased, (neither of which is true) yet it is to be considered, that where another pays the Servants, the Master must be obliged to keep such Servants as will answer the design of such as afford the Wages. Now it was the Kingdoms Mony that paid the Soldiers; it was given the King by a Protestant Parliament, to preserve the Protestant *English* Interest, and suppress the conquered *Irish* Papists, as appears by the Acts themselves; it was paid by them out of their proper Fortunes and Estates; and for the King to employ the Mony so given, and paid him, to Arm those whom it was designed to suppress, and destroy those who gave it, is the greatest breach of Trust and Prevarication of which any can be guilty.

8. As to the second Reason, That Protestants would not concur with the King's Intentions; I believe it is true, but the Reason was, because the King's Intentions were to destroy the Laws, Liberty, and Religion established in his Kingdom: They had, and would have answered every just Intention of the King; nay, such as were employed by him, had concurred further with him than was perhaps justifiable. And his laying them  
aside



aside as unserviceable to his Designs, is a plain Demonstration, that those Designs were irreconcilable to the good of the Kingdom, and the Protestant *English* Interest.

9. At to the Third Reason, That it was necessary, in order to raise an Army for the King, to Arm all the Rascality of *Ireland*; and to let them destroy the Protestants, to subsist and hearten them. I Answer, That this owns a Necessity, if not a Design, of destroying us: And considering that the Papists only by their wicked Counsels had brought that necessity on the Kingdom, it can never be imputed to the Protestants by any wise Man as a Crime, that they were unwilling to comply with the King to their own Destruction; or that they rather chose to be delivered by his present Majesty, than ruined by King *James* and his foolish Counsellors. Upon the whole, the ordering the *Irish* Army, as it was by King *James*, is a plain demonstration of his Design to destroy us, and a great step towards it; and he had effectually done it, had not the Providence of God raised up his present Majesty to relieve us.

### S E C T. III.

Secondly, *King James's ordering the Courts of Judicature in such a method, as tended to destroy the Protestant English Interest of Ireland.*

1. **T**HE support and happiness of a Kingdom consists chiefly in the equal and impartial Administration of Justice; and that depends on the choice of fit and duly qualified Persons for filling the Courts, and executing the Laws; but King *James* made choice of such Persons for these Offices, as were so far from answering the intent of their Places, that they made it their Business to destroy the Protestant Interest, and the Laws that preserve the Liberty of the Subject in general; by those Laws no Man was capable of being a Judge,

Judge, who had not taken the Oath of Supremacy The Judges he found on the Bench, had taken it; but yet some of them were known to be rather too favourable to Papists; and considering the influence King James had in his Brother's time in disposing of Offices, it is not to be imagined that he would suffer any Man to sit as a Judge, who had not been favourably represented unto him in that Point; though he must own he was mistaken in some of them: Hence it came that Protestants did frequently complain of the Favour and Countenance their Adversaries found in the Courts of Justice, even in King Charles the Secondstime. But when King James came to the Crown, moderate, nay favourable Judges would not do the Work he designed. He found it necessary to employ the most Zealous of his Party; those who both by Interest and Inclination, were most deeply engaged to destroy the Protestant English Interest; and accordingly such were picked out and set on all the Benches.

2. The *Chancery* is the great and highest Court, wherein the great Frauds and other Matters belonging to Trusts and Equity are determined; and neither the Lord Primate Boyle, who had managed that Court above twenty years, nor Sir Charles Porter, who succeeded him, could answer the King's Intention:

But Sir Alexander Fiston, of whom I Vide Ch. 2. Sect. 6. N. 2. have already given some account,

a person detected for Forgery, not only at *Westminster* and *Chester*, but likewise Fined by the House of Lords in Parliament, must be brought out of Gaol, and set on the highest Court of the Kingdom, to keep the King's Conscience, though he wanted Law and Natural Capacity, as well as Honesty and Courage, to discharge such a Trust; and had no other Quality to recommend him, besides his being a Convert Papist; that is, a Renegade to his Religion and his Country; but the mystery of this was easily found out. The Papists of *Ireland* had gone a great way to retrieve the Estates they had for-

feited by the Rebellion 1641, by counterfeit Settlements, Forgeries, and Perjuries, and to do their business in a great measure, there needed no more than to find a Judge that would be favourable to, and countenance such proceedings; and where could they find a more favourable Judge, than one who was notoriously involved in the same Guilt, and who probably in some cases did not esteem such Arts unlawful? But besides this, there is requisite to a Chancellor, a peculiar quickness of Parts and Dexterity, to penetrate into the Contrivances of Cheats and Forgeries; for which Sir *Alexander Fitton's* natural slowness and heaviness incapacitated him; but this very defect, together with his Zeal for Popery, fitted him to execute the King's Design as effectually as any that could have been found. He could not understand the merit of a Cause of any difficulty, and therefore never failed to give Sentence according to his Inclination, having no other Rule to lead him; and how he was inclined towards Protestants, appeared from his Declarations on all occasions against them; he did not stick, on a Hearing, to declare that they were all *Rogues*, and that *amongst Forty thousand* there was not *one* who was not a *Traytor*, a *Rebel*, and a *Villain*: For this Reason he would not allow the Guardianship of a Child to the Protestant Mother; but gave it against the positive words of the Law, to the Popish Relations: For this Reason he refused to hear so much as a Demurrer in the Popish Dean of *Christ Church*, Mr. *Stafford's* Case. For this cause he overruled both the common Rules of Practice of the Courts, and the Laws of the Land, declaring in open Court, That the *Chancery* was above all Laws, that no Law could bound his Conscience; and he acted accordingly in many Cases where Protestants were concerned. After hearing a Cause between one of them and a Papist, he would often declare that he would consult a Divine before he gave a Decree; that is, he would have the Opinion of a Popish Priest, his Chaplain, Educated in

in *Spain*, and furnished with distinctions to satisfy his Conscience, how far he should do Justice to Protestants. Many Papists came and made Affidavits of being in possession when they never were, and got Injunctions and Orders without any more ado, to quiet their Possessions. But a Protestant, tho' never so palpably disturbed, could not procure any Order; but was sent to the Common Law to recover his Possession, by a Popish Jury, returned by a Popish Sheriff, before a Popish Judge; that is, he must expect Law from Judges and Officers that Sate and Acted in defiance of Law. If at any time the Chancellor was forced to grant an Injunction or Decree, it was with all the difficulties and delays that could be; and often the thing was lost and destroyed before the Order came for recovering it.

3. The Administration of Justice and Equity is the great end of Government; and it is as good, nay better to be without Governours, than to have Governours under whom Men cannot reasonably hope for these. We see from the choice of a Chancellor, what care King *James* took for the Administration of Equity to Protestants. To help the matter, he added as Assistants to the Chancellor, Dr. *Stafford*, a Popish Priest, for one Master of the *Chancery*; and *Felix O Neal*, Son of *Turlogh O Neal*, the great Rebel in 1641, and Massacrer of the Protestants, for another.

*Felix O Neal was removed in 1689, and made a Colonel.*

To these generally the Causes between Protestants and Papists were referred, and upon their Report the Chancellor pass his Orders and Decrees.

4. The Courts of Common-Law were put into the same method; and great care taken to fill them with Judges, who might be engaged in a profest enmity to the Protestant Interest. In *Ireland* there are only three Judges on a Bench; and it was thought fit, for a colour till things were Riper, to keep one Protestant on every Bench; but whilst there were two Votes to one, the

Protestant Judge could neither do Right to Protestants, or retard a Sentence to be given in the favour of a Papist. This Mock-method, of seeming to trust Protestants they took likewise in naming Burgesses and Aldermen for Corporations; they generally put some few into their New Charters to serve for a pretence of Impartiality, and yet to signifie nothing: This Method of continuing some few Protestants in Courts and Corporations, serving only to silence and exasperate us, to be thus imposed on, but contributed nothing to relieve us, as we found to our Costs: And the Protestant Judges and Burgesses, finding that they were made Cyphers and Properties, of themselves declined at last to act in their Stations.

5. Next to *Chancery*, is the *Kings-Bench*, where Subjects are tried for their Lives and Fortunes: Upon this was set Mr. *Thomas Nugent* (made after Baron of *Rivers-Town*) the Son of one who had been Earl of *Westmeath*, but had lost his Honour and Estate for being an Actor in the late Rebellion begun in 1641. This Mr. *Nugent*, who had never been taken notice of at the Bar, but for a more than ordinary Brogue on his Tongue (as they call it) and ignorance in the Law, was pitched on by King *James*, to judge whether the Outlawries against his Father and his fellow Rebels should be reversed, and whether the Settlement of *Ireland*, founded on those Outlawries, should stand good. It was a Demonstration to us what the King intended, when he assigned us such a Chief Justice; and indeed the Gentleman did not fail to answer the expectation conceived of him. He reversed the Outlawries as fast as they came before him, notwithstanding a Statute made in point against it: And in all the Causes that ever came before him, wherein the Plaintiffs and Defendants were Papist and Protestant, I could not learn from the most diligent Observer, that ever he gave Sentence for the latter. Nay, it is shrewdly suspected that he went sharer in some considerable Causes, and not only appeared for them

them on the Bench, but also secretly encouraged and fomented them. Before him a Deed should be judged Forged or not Forged, according as it served a Popish Interest. And a Protestant needed no more to gain a Cause against another Protestant, than to turn Papist; which manifestly appeared in Sir Gregory Birn's Case, who meerly by turning Papist, as is noted before, in the midst of his Suit against Captain Robert Fitz-Gerald, got a Deed condemned of Forgery, and recovered five or six Hundred pounds *per Annum*; notwithstanding Mr. Daniel Birn his Father, some years before, for pretending it was Forged, had been Sued in an Action of the Case, and forced to pay Two hundred pound Damages: And tho' there appeared in Court a Bond under Birn's Hand, obliging him to pay Two hundred pound to the Witnesses, in case they should prove Captain Fitz-Gerald's Deed to be forged; yet the Proof was accepted. But these were common things in this Court, and the mischief had been much greater, had not a Writ of Error lyen from this Court to the *King's-Bench* in England. In one thing more he signalized himself; it was by committing and prosecuting People for feigned Offences and Treasons, and by countenancing and encouraging, and after discovery protecting false Witnesses against Protestants. Many were brought in danger of their Lives by his Contrivances; and when the Accused were acquitted on Trial, by a palpable Demonstration that the Witnesses were perjured, he declared that they neither could nor should be Prosecuted, for they only Swore for the King, and he believed the Accused persons guilty, tho' it could not be proved. In short, he shewed all the venom and rigour against them he could; he was set up to destroy them, and he went as far in it as his Power could reach; his Weakness, not his Inclination, hindred him from carrying it farther. It is not imaginable by any that have not seen and heard him, how furiously and partially he was bent against Protestants: It may be guessed how he stood inclined

to them by the great Hand he had in promoting the Bill of Attainder, and the Bill to vest all Absentees Goods in the King; whereby much the greater part of the Protestants of *Ireland* lost all their Estates, Personal and Real; of which we shall speak more hereafter. He was assisted on the Bench by Sir *Bryan o'Neal*, as puny Judge, a weak Man, that had nothing to recommend him but Venom and Zeal, being otherwise disabled both in his Reason and Body. Only he had the faculty to do what he was bid, especially when it suited with his own inveteracy against *Englishmen* and Protestants. This Character may seem rigid, but as many as knew him will not think it exceeds.

6. The next Court for business (though not for Precedence) is the *Exchequer*: In which all Actions wherein the Kings Revenue, or any other Mans Estate is concerned, may be tryed. From this Court no Writ of Error lies in *England*; so they were free here from that Check, which was so troublesom to them in other Courts. Upon this consideration it was that the whole business of the Kingdom, so far as it concerned them, was brought into this Court; tho' not so proper for it. Here were brought all Actions of Trespasses and Ejectments concerning Estates; all *Quo Warranto's* against Corporations, and *Scire facias's* about Offices; And they thought themselves concerned to have an able Man, and one thoroughly Cordial to their Interest for the Chief Judge in it: For if he had wanted Sense or Law, though willing, as they found by Experience in some of the other Courts, he might have been unable to serve them in all Cases. They therefore fixed on Mr. *Stephen Rice*, afterward Sir *Stephen*, who had formerly been noted for a Rook and Gamester at the Inns of Court. He was (to give him his due) a Man of the best Sense amongst them, well enough versed in the Law, but most signal for his inveteracy against the Protestant Interest and Settlement of *Ireland*; having been often heard to say, before he was a Judge, that he will



will drive a Coach and six Horses through the Act of Settlement, upon which both depended. And before that Act was Repealed in their pretended Parliament, he declared on the Bench, that it was against Natural Equity, and could not oblige. This Man did King James chuse for Chief Baron, and for the final determination of all Suits that lay between Protestants and Papists, either in Common Law or Equity. And it is no hard matter to conjecture what success the Protestants met with in their Suits before a Judge that declared, as he did, that they should have no favour, but *Summum jus*, that is, the utmost rigour of the Law. Immediately his Court was filled with Popish Plaintiffs: Every one that had a forged Deed or a false Witness, met with Favour and Countenance from him; and he knowing that they could not bring his Sentences into England to be re-examined there, acted as a Man that feared no after-Account or Reckoning. It was some considerable time before he would allow a Writ of Error into the *Exchequer-Chamber*, tho' that was in effect to themselves; and when it was allowed, it was to little purpose before such Judges. It was before him all the Charters of the Kingdom were damned, and that in a Term or two, in such a manner that proved him a Man of Dispatch, tho' not of Justice. If he had been left alone, it was really believed that in few years he would, by some contrivance or other, have given away most of the Protestants Estates in Ireland, without troubling a Parliament to Attaint them; which was a more compendious, but not a more certain way to destroy them, than the Methods he took. It was he that without Hearing, after he had Dissolved the Corporations by giving Sentence against their Charters, declared void all the Leases of Lands or of Perquisites made by them, tho' long before their Dissolution, and on very good considerations; and thereupon oured several Protestants of their Leases: But it were endless to mention all the Oppressions and unjust Proceedings of this Court; it

*James*

were in effect to transcribe the Records of it. Let me only observe, that the Chief Baron was assisted by Sir *Henry Lynch* as Second Baron, who came indeed short of him in Parts, but yielded nothing to him in Malice to the Protestant Religion and Interest.

7. The Court of *Common Pleas* had little to do: The business so far as concerned the Protestants and Papists, was intirely carried out of it to the *Kings Bench*, or *Exchequer*, and therefore they permitted the Lord Chief Justice *Keating* still to sit in it, but Pinioned with two of their own sort, that if any thing should chance to come before him, he might be out-voted by them. The truth is, they were jealous of this Court, not only because a Protestant was Chief Justice in it, but likewise because Judge *Dally* sat as puny Judge, who tho' a Roman Catholick, yet understood the Common Law so well, and behaved himself so impartially, that they did not care to bring their Causes before him: So much did they dread the prospect of Justice, tho' before Judges that were of their own Party and Persuasion.

8. The Circuits are an extension of the Courts, whereby Justice is carried into the Country: These were managed much at the same rate with the Courts, and where the Sheriff and Judge were both Papists, it is not difficult to guess what Justice Protestants must expect; what packing of Juries there was amongst them, and how deeply the Judges themselves were concerned in such Practices, is evident to all that had any Concerns in the Country at that time.

9. It will be requisite to say something of the Attorney General which King *James* made, instead of Sir *William Domville*, whom he turned out after near Thirty years supplying the place; but he was a Protestant, and would not consent, to reverse the Popish Outlawries, nor to the other Methods they took to destroy the Settlement of *Ireland*; and therefore he was laid aside. In his place King *James* substituted Mr. *Richard Nagle*, whom he afterwards Knighted, and made

made Secretary of State ; he was at first designed for a Clergyman, and Educated amongst the Jesuits ; but afterwards betook himself to the Study of the Law, in which he arrived to a good Perfection, and was employed by many Protestants, so that he knew the weak part of most of their Titles. Every Body knows how great a part the Attorney General has in the Administration of Justice, it being his Office to prosecute, and in his power to stop any Suit wherein the King is concerned. How he used this Power will appear in one Instance, tho' many may be given. One *Fitz-Gerald* of *Tycroban*, the Heir of a forfeiting Papist, had a Suit for a great Estate against Sir *William Petty* ; it was tryed by the *Exchequer* before Chief Baron *Rice*, and *Fitz-Gerald* carried the Cause by the Perjury of two Fryars, and a Woman, who swore a person to be dead in *Spain*, and themselves to be present at his Burial, upon whose Life Sir *William's* Title depended. This person soon after appeared to be alive, and is so still for ought we know ; and his being alive was so notorious and manifest, that the Attorney General could not deny it : Sir *William's* Counsel and Lawyers designed to indict the Fryars and Woman for their Perjury, but the Grand Jury refused to find the Bill ; and I was credibly informed, that the Attorney General said, That if they did not desist he would enter a *Noli prosequi*. It is certain he refused to prosecute it, and it was imputed to his Contrivance that they escaped. By such means the Course of Justice was stopped to Protestants ; and the like Tenderneſs the Courts generally shewed to Perjurers, when the Perjury served their Interest. - And sure the Protestants were in an ill case, whose Lives and Fortunes lay at the Mercy of such Judges and Juries ; and they must conclude, that nothing less than Destruction was designed for them, by a King who put them under such Administrators of Justice. The same Sir *Richard Nagle* was the Speaker of the House of Commons in their pretended Parliament, and had the chief Hand

Hand in drawing up their Acts; King *James* confided chiefly in him: And the Acts of Repeal and Attainder were looked on as his Work; in which his Malice and Jesuitical Principles prevailed so far, that he was not content to out two Thirds of the Protestant Gentlemen of their Estates by the Act of Repeal, (by which all Estates acquired 1641, were taken away) and to attain most of those that had old Estates by the Bill of Attainder: But to make sure work, he put it out of the King's Power to pardon them; therein betraying the King's Prerogative, as the King himself told him, when he discovered it to him. Of which and of him we shall have occasion to give a further Account hereafter.

10. Into such Hands as we have been speaking of, the Administration of Justice and of the Laws was put, which were so far from preventing our Ruin, that they were made the Means and Instruments thereof, and it had been much better for us to have had no Laws at all, and been left to our natural Defence, than to be cheated into a necessity of Submission by Laws that were executed only to punish, and not to defend us.

11. It was common for some of those that served King *James*, to come upon the Exchange, and without any reason or provocation to fall upon Protestant Gentlemen, if they looked a little more fashionable than other people, and beat them. One was thus beaten with a Cane severely, before the Gentleman was aware; he was advised for an Experiment to indict the Ruffian that used him thus, to see what protection the Law would give us after they had taken away our Swords; but the Grand Jury did not think it worth while to trouble the Courts with redressing the Grievances of Protestants, and so would not find the Bill. A Merchant in *Thomas-Street, Dublin*, found a Fellow that had broken into his Ware-house, and was conveying his Goods out at the Window to his Fellow Soldiers that stood in the Street to receive them; he

seised

seised him, and brought an Indictment against him for Felony, but the Jury acquitted him; and then he brought his Action against the Merchant for false Imprisonment and Slander, and it cost a good Sum of Money to compound the Matter. This Trial was very common; and at last, no Protestant, tho' he had ever so good Evidence against a Papist, durst prosecute him; for he was sure to be acquitted, and then the Prosecutor was liable to the Revènge of an Action of the Case, and the Damages that a Popish Jury pleased to give against him.

12. There is an Act of Parliament, 10 Hen. 7. cap. 12. that forbids keeping Guns or Ordnance without License from the Lord Lieutenant or Deputy. The Design of it was to prevent the *Irish* from fortifying themselves in their little Castles, whereby at that time they created the Government great Trouble, and raised daily Rebellions. But the Lord Chief Justice *Nugent* interpreted this to the disarming of all Protestants; and because there chanced to be a Sword and Case of Pistols found, September 6. 1689, in some outward by-place in *Christ's-Church; Dublin*, one *Wolf* the Subverger was committed to *Newgate*, indicted and found guilty, and had good luck to escape with his Life, the Chief Justice declaring it was Treason, though *Wolf* was only indicted for a Misdemeanour.

13. But had the Laws been in never so good Hands, it could not have secured us from Destruction, when the King, who designed that Destruction against us, pretended to be above all Laws, and made no scruple to dispense with them; every Law in these Kingdoms is really a Compact between the King and People, wherein by mutual consent they agree on a Rule by which he is to Govern, and according to which, they oblige themselves to pay him Obedience. But there is no general Rule but in some Cases it may prove inconvenient; it is therefore agreed by all, that in cases of sudden and unforeseen Necessity, there is

no

no Law but may be dispensed with: But then first it is observable, that this Necessity must be so visible and apparent, that all reasonable Men may see and be satisfied that it is not pretended; and where the Necessity has been thus real, no Man can shew that either the People or Parliament ever quarrelled with a King for using a Dispensing Power.

14 Secondly, It must be observed, that this Power of Dispensing, in Cases of Necessity, is mutual, and belongs to the People as well as to the King; it being as lawful for the Subject, in Cases of Necessity, to dispense with his obedience to a Law, nay, with his Allegiance to his King; as for a King to dispense with the Execution of a Law, or the exacting Obedience: And this mutual Power of dispensing with the Laws, which are publick Compacts in Cases of Necessity, is tacitly understood in them as well as in all other Covenants.

Doctor *Sanderson* proves this Power of Dispensing to belong to the People as well as to the Prince, in his Tenth *Prælection*, N. 21. and he gives an Example in N. 22. The Case is thus: The Conspirators, after the Gunpowder-Treason was discovered, fled into *Warwickshire*, and made an Insurrection: The Sheriff raises the *Posse Comitatus* against them; they fled from thence into *Worcestershire*, where, by the Law the Sheriffs of *Warwick* could not follow them, but the Sheriff dispensed with the Law, Judging (saith he) as he ought to have done, That, if he would perform

right the Office of a good Subject, the Observation of the Law in that Case of Necessity was very unreasonable; and he ought to obey the Supream Law, which is the Safety of his Country. The Sheriff did accordingly, and was highly commended by King *James* the First for it. There might be many Examples of

*Sanderson de oblig. consci-  
enc. prælect. 9, 12, 19.*

*(Ubi tam gravis premit  
necessitas, ut vir pius &  
prudens non possit dubita-  
re legislatorem ipsum, si  
præsens esset, legis sibi  
gratiam & relaxationem  
concessurum) liceat subdi-  
tis, communis utilitatis,*

*(quæ suprema lex est, & omnium legum finis) rationem habere magis, quam  
legum particularium.*

*John Manners*

this kind given, in which the People are allowed to dispense even with their Allegiance in case of Necessity. It is against the Allegiance of a Subject to own the Power of an Usurper, to bear Arms, to judge of Life and Death, or administer Justice between Man and Man, by his Commission; and yet Dr. *Sanderfon* determines it to 'be the Duty of a good Man to do all these, if required by an Usurper, *Prælect.* 5.

N. 19. and accordingly we find Judge *Hales* acted under the worst of Usurpers, *Oliver Cromwell*, and executed the Office of a Judge, as may be seen in his Life.

*Salus populi suprema Lex:*

The equity of which Maxim, as it leaveth in the Lawgiver a power of dispensing with the Law, as he shall see it expedient to the publick Good; so

it leaveth in the Subject a Liberty upon just Occasions to do otherwise than the Law requires. Dr. *Sanderfon's* Judgment concerning *Submission to Usurpers*, pag. 17. Edit. Lond. 1678.

15. Thirdly, 'Tis the most wicked, as well as hazardous thing, that King or People can do; to pretend a necessity for dispensing with those publick Compacts, when the pretence is not real: For the publick Faith is hereby violated, the party unconsulted is abused, a just reason of Distrust raised between the King and People, and they of the two that assume to themselves this Power of dispensing upon a pretended, not real necessity, in Cases of great Moment to the Kingdom, are in a fair way to lay a real Necessity on the other party to dispense with their part of the Compact; that is to say, If the King will pretend a Necessity where there is none, for his not governing by Laws in Cases that concern the common safety of the Kingdom, he gives a shrewd Temptation, and a justifiable Colour to his People to dispense with their Submission and Allegiance to him. And it is full as good a Reason for a Peoples taking Arms to defend themselves against illegal Violence, to alledge that they were necessitated to do so, to prevent the Ruin and Destruction of them and their Posterity, as it is for a King to alledge, that he



he uses illegal Officers and Force to preserve himself, and his Kingdoms. And if the Allegation be real, I do not see why it should not justify the one as well as the other, tho' the one be against the Oath of Allegiance; and the other against the Coronation Oath; Cases of extream Necessity being tacitly excepted in both. Kings therefore that take on themselves to dispense with Laws, without the consent, either tacit or express of their People, give an ill Precedent against themselves, and must blame themselves if their People, taught by them, return it upon them.

16. 'Tis plain, the Officers employed by King *James* in *Ireland*, both Civil and Military, were unqualified and incapable by Law, of those Employments. If Lord *Tirconnell* (for instance) claimed Subjection of us by the Laws, I do not see why he should expect the People to be better Observers of the Laws than he was. Suppose that it was against the Law for them to resist him. it was likewise against the Laws that he should command them; if he dispensed in one Case, they only dispensed in the other: And in this Case it was as lawful for the one to dispense as the other.

I suppose the only Reason in a settled Government, why one Man can claim our Submission and not another, is, because the known Laws give the one, and not another the power of Commanding; but the Laws as well as the Interest of this Kingdom laid positively, that the Earl of *Tirconnell*, and Men of his Character and Religion, should not have any Office Civil or Military, and therefore those Protestants that stood on their Defence against him, did not look on themselves to have resisted any persons legally commissioned by the King; nor was there any need of a Judge, or Judgment in the Case; the Question being no other, than, *Whether the Law required, that our Governors and Army should not be Papists?* And, *Whether the Earl of Tirconnell and those he employed, were Papists?* Both which were notorious and confessed by all without the Determination of a Court or Judges.

17. As to the point of Necessity; 'tis as plain there was no Necessity on King *James* to employ these persons, whom the Law had disabled to serve him: Protestants were numerous enough, and willing enough to serve him in every thing that was for the Interest of the Kingdom; but he not only refused to entertain them, but turned out such as he found employed, without the least Crime or Accusation; and put in their places persons not only unqualified by Law for the Employments into which he put them, but also unfit and incapable to discharge them; which sufficiently shewed, that it was Choice, not Necessity, made him employ them. But he foresaw, that such persons as the Laws designed for Employments, would not assist to destroy the Laws, Liberties and Religion of the Kingdom; and therefore he exchanged them for those new Servants, whose Interest it was to joyn with him in his ill Designs, and whose Service was their Crime; who deserved the most severe punishments, not only for accepting these Employments against the Laws, but likewise using them to the Subversion of all Law and Justice. If therefore there was any Necessity on King *James* to employ such Servants, it was a criminal Necessity, and intirely of his own making; and if he imagined, that such a Necessity would excuse him from his Coronation Oath, of governing according to the Laws, and justifying his dispensing with all the Laws made for the Security of his Subjects, why should he not allow the same Liberty to his Subjects, and think that an inevitable Necessity of avoiding Ruin, should be a sufficient Reason for them to dispense with their Obedience to him; notwithstanding their Oaths of Allegiance; especially where the Necessity is not pretended or created by themselves, as his was, but apparent and forced on them by him? According therefore to his own Rules, he cannot blame them for refusing to obey him where no Law required their Obedience; or for resisting him in those unlawful Methods they saw him engaged in, to their manifest destruction.

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But King *James* was resolv'd to venture all, and, as many of his Favourites express'd it, would not be a *Slave to the Laws*, and therefore endeavour'd to be their Master. In *England* he granted without any apparent necessity, nay (against not only the Interest and Safety of the Kingdom, but even) to his own prejudice, several Dispensations: But these pass'd in some colour or form of Law, and many of them at least pass'd the Offices and Seals; but in *Ireland* they did not trouble themselves with these Formalities. A verbal Command from the King was a sufficient Dispensation to all Laws made in favour of a Protestant; the Officers acted, and the Courts judg'd, as if there had been no such Laws in being. Here the Dispensations went much higher than in *England*, even to dispensing with the Laws against robbing and taking away Property: For if King *James* had a mind to any thing, he sent an Officer with a File of Musquetiers, and fetch'd it away, without considering the Owners; and to shew us, that his Commands were not meerly pretended by these Officers (which I confess often hapn'd) when they did such illegal things, the King himself to shew, I say, that it was his determinate Resolution to act thus, did sometimes send Orders under his Hand to take away many things of great value, without offering any Re-tribution or Satisfaction to the Owners.

Many Instances of this kind may be given: I shall only mention one, because it made some noise. A Grant, in nature of a Lease, with a reserv'd Rent to the Crown, was made by King *Charles* the Second to some of his Courtiers, as a Gratuity for considerable Services; whereby the sole liberty to coyn Copper-Mony in the Kingdom of *Ireland* for one and twenty years was given to them. This Grant was purchased at a dear rate from the Grantees by Sir *John Knox*, late Lord Mayor of *Dublin*, and was renew'd not without great Trouble and Charges to him by King *James*, after his Accession to the Crown. When he came  
into

into Ireland, he found this Grant in the Hands of Colonel Roger Moor, to whom it came by way of Legacy from the Purchaser. King James designing to set up a Brass Mint, sent for this Grant, and had it strictly canvast, to see if any Flaw could be found in it: None could be found; nor would the Colonel be persuaded to give it up. The King therefore commanded it to be laid aside, and his own Mint to be proceeded on, without regard to it. But having occasion for the coyn- ing Tools and Engins belonging to this, without consulting the Owner, or enquiring whether he was willing to part with them, he sent and seized on them violently; forcing open the Doors, and taking away to a considerable Value. Colonel Moor petitioned for Redress, or at least some Consideration for his Loss; but his Petition was rejected, without being heard. Such proceedings were common, and shews us plainly what a weak Barrier Laws are against a person who designs absolute Power, and who believes, according to our late Act of Recognition, *That the Decision in all Cases of a misused Authority by a Lawful Hereditary King, must be left to the sole Judgment of God.*

## S E C T. IV.

Thirdly, *King James's progress to destroy his Protestant Subjects, by his disposing of Civil Offices, and ordering the Privy Council.*

1. I Have already taken notice how King James disposed the Military Offices, in such a Method, as must unavoidably ruin the Protestant Interest in Ireland; it was not altogether so easie to out Men of their Civil Employments, as of their Military. 1. Because many had Patents for Life, or Good Behaviour: And, 2. Because some of the Offices themselves were so difficult to be managed, that it was not easie to find Roman Catholics capable of discharging them; yet it appeared

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necessary.

necessary, in order to ruin the Protestants, that they should be turned out of them; and therefore King *James* and his Ministers resolved to do it as fast as they could. As soon as they could find a Papist that would or durst undertake them, they put him in; and they plainly declared, that no Protestant after a little while should have any Office of Trust or Profit left in his Hands. Some Offices they disposed of without more ado, by new Patents, and put the Patentee in Possession without taking notice that there was another Patent in being, leaving the former Proprietor to bring his Action at Law, if he pleased. Thus they served Sir *Charles Meredith* for his Chancellorship of the *Exchequer*; and thus they served Sir *John Topham*, and Sir *John Coghill*, for their Masterships of the *Chancery*. And the Inferiour Bodies of Cities learned this Trick from them; and by it outed their Protestant Recorders, even before their new Charters. Some Officers that claimed a Title to their Offices by Law, were not allowed a Legal Tryal: But the Chancellor called them before him, and on a private Hearing turned them out. Thus he served Mr. *Charles Baldwin*, one of the Examinators of the *Chancery*.

2. But to proceed by Retail seemed tedious; and therefore to make short work, and rid their Hands of Protestant Civil Officers at once, as they had done of the Military, they made an Act in their pretended Parliament, to void all Patents for Offices during Life, or Good Behaviour, tho' granted by King *James* himself, and tho' the Protestants had laid out their Fortunes to purchase them by King *James's* own consent and permission, as many had done. Now let the World judge what a step the disposal of these Offices was, to the Destruction of Protestants, when some of them were of such consequence, that an unfaithful Officer in them might undo many, by destroying their Evidences for their Estates: In what condition must Protestants be, when the Records, by which they held their Estates, were

were put into the Hands of those who were their Adversaries in the claim, and had nothing to bar them but these Records, of which they were now made Keepers, who had often before shoked the Protestant Titles, by setting up counterfeit Deeds, nay, and corrupting the Records themselves, even whilst Protestants had the keeping of them; of which, the Records in the *Common Pleas Office*, are yet an unanswerable Evidence, counterfeit Judgments being entred there, to the Sum of many thousand pounds, by the Treachery of corrupting Papists. I have for the satisfaction of the Reader set down in the *Appendix, N. 10.* *Appendix* the Names of the most considerable Officers belonging to the Courts, that the Change may be more visible.

3. The next sort of Officers were such as were concerned in the Revenue; these were, many of them, during Pleasure. The Revenue had for five or six years last past been managed by Commissioners to very great advantage. They had gotten under them a Set of very sharp and severe Officers: Many of which having been formerly concerned in Trade themselves, knew all the Arts of cheating the King in his Duties, and were able to discover them; and he who was most acute and made greatest Advantage for the King, was sure to keep his Place, and to be advanced. It was hard to find a Set of Commissioners and Officers, that could serve the King in his Revenue at the Rate these Persons did; and therefore they were forced to be slow in changing them: Yet they did it by degrees, and with such Circumstances, as plainly discovered that they were resolved, as soon as was possible, to employ Roman Catholicks only. To do them justice, they generally owned it; and when any of them had a Friend to prefer to an Office in the Revenue, his Argument to remove the Protestant Possessor usually was, *This Man must be removed, and why not now?* As the Popish Bishop of *Elphin* wrote to Sir *Patrick Trant* from *Galloway*,

in order to remove a Protestant Gauger employed there. In most places they turned out the Protestant Collectors and Officers, and put in their Papish Friends, tho' much to the King's loss, as it often proved, and as they themselves knew it would be, and did not scruple to own it. Their new Collectors, either being so ignorant as not to make the best of their Places, or so very Corrupt that they run away with the Money when Collected; as it hapned at *Clonmell*; or so abused their Trust, that they were obliged to change no less than five or six at a time, King *James* himself declaring publicly, that they deserved to be hanged. That there remained any Protestants employed in the Revenue, was plainly from their not having time enough to train up others in their room, and not from their intentions to continue Protestants in it; to whom they envied even the hated Office of being Publicans.

4. The third sort of Officers in the Kingdom are such as have Trust or Honour annexed to them, but little Profit; of this sort I reckon Sheriffs and Justices of the Peace. It was no easie matter to find Roman Catholicks to put into these Offices, and it was a most provoking sight to Protestants, to see with what kind of Men they supplied them: They were forced to rake into the very Skum and Sink of the People, to find a few to sit on the Bench, as I shewed before; Men without Freehold, without Sense, and without Honesty, were made Sheriffs; and yet they were forced to continue most of them two years, not being able to find in some Counties any Roman Catholick, that could pretend to be capable of such an Employment. Thus in the County of *Tyrone*, *Turlogh O Donnelly* served two years as Sheriff, who had not one foot of Freehold; and for his Honesty, you may guess at it by this Story, which is notoriously true: His Son had stolen some Bullocks from his Neighbour *Mr. Hamilton of Callidon*, and brought them to his Father the Sheriffs House: Some of them were killed and eaten in the House.

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The Owner pursued and found the remainder, which were restored; and to Compound the Matter, a Bond of Sixteen pound was entred into by the Sheriff for such as were eaten; and if I remember right, a Warrant of Attorney for Judgment. When he came to *Dublin* to pass his Accounts as Sheriff, he was Sued for the Mony; but to avoid the Suit, he listed himself a Foot Soldier in the Lord *Maguire's* Company, and pretended he was Enlisted in the Company two or three days before the Arrest; which my Lord likewise vouched, tho' really he was not Enlisted till after the Arrest or Execution. Upon which the Attorney that took out the Action or Execution, I do not remember which, and the Person to whom he owed Mony, were brought into great Trouble, and forced to abscond for violating the Priviledge of the Army; and obliged for Peace sake to depart from their Claim. We had many such Sheriffs and Justices of the Peace; and to demonstrate that they designed to out Protestants of all Power, there was not one Protestant Sheriff in all *Ireland*, for the Year 1687, as may be seen in the Catalogue which I have given of their Names in

the Appendix, except *Charles Hamilton of Cavan*, who was put in by mistake (as was supposed) instead of *John Hamilton of Killeneur*, who is a Roman Catholick. Nay, it was designed, that not one Protestant should sit on the Bench as Justice of Peace; and the design in a great measure effected; not indeed by revoking their Commissions, but by making it impossible for them to act. It was now almost a necessary Qualification to preserve a Man in his Place, to change or dissemble his Religion; and some did worse, that is, betrayed it by their Compliance, whilst yet they profest it. Many who would not be guilty of such Servility, were turned out even from the mean Employments of a High or Petty Constable, of a Gaoler or Turn-Key; of all which it were easie to give Examples; but the thing being Universal,

makes that unnecessary. Even these mean Employments were now counted too good for Protestants; and all this contrary to the express Letter of the Law, which admitted none but such as would take the Oath of Supremacy, to any Office; but they took a peculiar Pleasure to act in contempt and despite of the Laws; and it seemed to them a kind of Conquest, to turn a Man out of his Employment, Office, or Freehold, contrary to Law. In the mean time, it was a melancholy thing for Protestants to live under such illegal Officers, and have their Lives, Estates and Liberties, at the mercy of Sheriffs, Justices and Juries; some of whose Fathers or nearest Relations, they had either hanged for Thieving, Robbery and Murthering, or killed in the very act of Toring.

5. I reckon as a fourth sort of Officers in the Kingdom, such as were of the Privy Council, which in *Ireland* is a great part of the Constitution, and has considerable Priviledges and Power annexed to it. Regularly no Act of Parliament can pass in *Ireland*, till the Chief Governour and Privy Council do first certify the Causes and Reasons of it. It was therefore no less than necessary that King *James* should model this to his mind; and he quickly ordered it so, that the Papists made the Majority in it; and whereas before it was a Refuge and Sanctuary to the Oppressed, it now became a most effectual Instrument to strengthen the Popish Interest, and give Reputation to their Proceedings. We may guess what kind of Government King *James* designed, when he was attended

*See the Appendix for the List of Privy Counsellors. N. 9.*

with such a Council; and yet it is certain, even some of these who were Protestants would have been

turned out, if they had not absented themselves, and declined appearing at the Board; but whether they appeared or no, was of no consideration, since it is plain they could do Protestants little service.

S E C T. V.

Fourthly, *King James's ordering Corporations was an effectual means to destroy his Protestant Subjects, and to alter the very Nature of the Government.*

1. **W**Hoever knows the Constitution of *England* and *Ireland*, must observe that the Subjects have no other Security for their Liberties, Properties and Lives, except the Interest they have of choosing their own Representatives in Parliament. This is the only Barrier they have against the Encroachments of their Governour. Take it away, and they are as absolute Slaves to the King's Will, and as miserable as the Peasants in *France*. Whoever therefore goes about to deprive them of this Right, utterly destroys the very Constitution and Foundation of the Government. Now the Protestants of *Ireland* finding the necessity of securing this Right in their own Hands, to preserve the Kingdom in prosperity and peace, had procured many Corporations to be Founded, and built many considerable Corporate Towns at their own cost and charges. They thought it reasonable to keep these in our own Hands, as being the Foundation of the Legislative power; and therefore secluded Papists as Enemies to the *English* Interest in *Ireland*, from Freedom and Votes in them by the very Foundation and Rules of planting them. This Caution they extended by a Law, and all other Corporations in the Kingdom, excluding Papists likewise from them, which they justly did, if we remember that these Papists had forfeited their Right in them, by their Rebellion in 1641; and by their having turned those Towns, where they had Interest, into Nests of Traytors against the King, and into places of Refuge for the Murderers of the *English*; insomuch that it cost *England* some Millions to reduce them again into Obedience; witness *Kilkenny, Waterford, Gallway, Lymerick,*

and every other place where they had power to do it. Add to this, that generally the trading industrious Men of the Kingdom were Protestants, who had built most of the Corporate Towns (above thirty at once in King *James* the First's time) and a great part of the Freeholds of the Kingdom did also belong to Men of the same Religion: Insomuch that if a fair Election had been allowed, in probability no Papist could have carried it in any one County of *Ireland*. All which considered, it was but reasonable that the Protestants that had by so much Blood and Treasure, brought the Kingdom into subjection to the Laws of *England*, and planted it in such a manner, as to render it worth the Governing by the King, should be secured of their Representatives in Parliament; especially when out of their great Loyalty, and Confidence in the King's kind Intention to them, they by some new Rules had condescended, that none should officiate as Majors, Portreeves, Magistrates, or Sheriffs in the chief Towns, till approved by the King's Chief Governour for the time being. Their yielding this to the King was a sufficient Security, one would have thought, to the Royal Interest. A great diminution of their Liberties, and such as never was yielded before to any King; but this would not serve King *James* to be Absolute, he must have the entire Disposition of them, and the power to put in and turn out whom he pleased, without troubling the Formalities of Law. To bring them therefore to this, it was resolved to Dissolve them all. *Tirconnel* knew that the Protestants would never give up their Charters, without being compelled by Law: And therefore he endeavoured to prevail with them, to admit Papists to Freedom and Offices in them, that by their means he might have them surrendred; but the Resolution of Sir *John Knox*, then Lord Mayor of *Dublin*, and of the then Table of Aldermen, spoiled that Design, and forced the King to bring *Quo Warranto's* against them, since they would not easily consent to destroy themselves.

2. The Chief Baron *Rice*, and the Attorney General *Nagle*, were employed as the fittest Instruments to carry on this Work. To prevent Writs of Error into *England*, all these *Quo Warranto*'s were brought into the *Exchequer*; and in about two Terms, Judgments were entered against most Charters. Whereas, if either Equity or Law had been regarded, longer time ought to have been allowed, in Matters of such consequence, for the Defendants to draw up their Plea, than the Chief Baron took to dispatch the whole Cause, and seize their Franchises. Attorney General *Nagle* plaid all the little Tricks that could be thought of; and had an ordinary Attorney brought such Demurrers or Pleadings into Court, in a common Cause, as he did in this most weighty Affair of the Kingdom, he would have received a publick Rebuke, and been struck out of the Roll for his Knavery or Ignorance. After all, there was not one Corporation found to have forfeited by a Legal Trial; neither was any Crime or Cause of Forfeiture objected against them; yet the Chief Baron gave Judgment against an hundred Charters, or thereabouts; upon such little Exceptions and pitiful Cavils, that it must be the greatest Affront to the Understanding of Mankind, to think to put such on them for Justice; and the greatest profanation of the Name of Law, to endeavour to pass such Proceedings for Legal. Admit that a Corporation, which is an invisible Body in Law, could do any thing to destroy its own Being, or that it were reasonable it should be divested of a particular Priviledge, which it has manifestly abused; or when, by alteration of Circumstances, such a Priviledge becomes a prejudice to the Publick; as it sometimes happens: Yet to Dissolve all the Corporations in a Kingdom; without the least Reason or Pretence of Abuse of Priviledge or Forfeiture, to take advantage from the Ignorance of a Lawyer, or the mistake of a Clerk, nay, to pretend these when really there is no such thing, is such an abuse of the King's Prerogative and

and the Law, that it is enough to make the People, oppressed by colour of them, to hate both, at least to wish the Administration of them in other Hands; and this was clearly the Case of the Corporations in *Ireland*. The City of *Dublin* was not allowed so much time to put in their Plea as was really sufficient to transcribe it, as it ought to have been. The Clerk mistakes the Date of one of their Charters; they pray leave to mend it; this is denied them; and the Chief Baron gives Judgment. The same Term the Charter of *Londonderry*, in which the City of *London* was so deeply concerned, was condemned on a yet more frivolous Pretence, upon which the Chief Baron gave Judgment against the Charter. And upon the like wrangling Cavils were the rest Dissolved; except a few which were on Noblemens Estates. Some of these Noblemen employed Roman Catholick Agents or Receivers; who so managed their Estates for them, as chiefly to encourage Papists, and now became the Instruments to betray their Corporations. Those Agents employed the Power and Interest they had amongst their Masters Tenants, by Threats and Intrigues, to procure Surrenders; and by these means, some few were influenced. Thus one *Potter*, a Papist, employed as a Receiver by the Earl of *Kildare*, betrayed his Lord, and prevailed with *Athy*, and some other Corporations, on his Estate to Surrender.

3. Where they did not think fit to destroy the Charters upon their usual and trivial pretence of defective Pleading, there they found out other Expedients, without Trial, to destroy them. And that was, by granting a New Charter (as in the Case of *Bangor* in the County of *Down*) to such Men as the Attorney General thought fit; who by the Sheriff should be put in possession of the Government of the Town, and then if the former Possessors thought themselves injured, they might bring their Actions against the Intruders: In the Trial of which, they had reason to expect no more

more fairness, than they found in the Proceedings against their Charters.

4. This Contrivance, of superseding a former Charter by granting a New one, served to very good purpose. There were many particular Charters granted to Corporations in the City of *Dublin*. Such were the Corporations of Taylors, Skinners, Feltmakers, &c. where these refused to surrender, they got a few of the Trade to take out a New Charter, by which Papists were constituted Masters and Wardens; and as soon as they had taken it out, they committed to Prison such of the Ancient Members as would not submit to them.

5. Every Body dreaded the Effects of these Proceedings; the Gentry considered that they held their Estates by Patents from the King; and the Title was no stronger than that of a Charter. And if Men were outed, of their Privileges and Freedoms by such Tricks and Shadows of Law, they began to fear that one day or other the like may be found to void their Patents.

6. As soon as the Corporations came to be supplied with New Charters, it plainly appeared that no *English* or Protestant Freeman could expect a comfortable Life in *Ireland*; for in the first place, the Corporations were made absolute Slaves to the King's Will, it being one Clause in all the New Charters, that the King's Chief Governour should have power to turn out, or put in whom he pleased, without giving any Reason, and without any Form of Legal Proceeding; by which the Corporations were so much in the King's power, that he might with as much Reason have named his Regiment of Guards, a Free Parliament, as the Burghesses returned by such Elections. The whole Kingdom had therefore reason to resent such Proceedings, as being absolutely destructive to their Liberties; but more especially the *English* Protestants; for it plainly appeared in the second place, that all this Regulation was more immediately designed for their Destruction.

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The persons every where named for Aldermen and Burgesses of the New Charters being above two Thirds Papists, some few Protestants were kept in for Form sake, that they might not seem absolutely to discountenance them; and to avoid discovering their Designs of turning them out of all: But yet so few, in comparison of the Papists, that they were incapable of doing either good or hurt. And when they saw that they must be insignificant, they generally declined serving at all. The Papists employed, were commonly the most inveterate and exasperated persons against Protestants and their Interest, that could be found. Many of them never saw the Corporations for which they were named; they were never concerned in Trade or Business; many of them were named for several Corporations, because they wanted Men qualified as they would have had them, to make up the number of Aldermen or Burgesses. Most of them were poor and mean, and such whose very Names spake Barbarities.

7. The Protestants foresaw very well, what they were to expect from Corporations thus settled, and a great many of the richest trading Citizens, removed themselves and their Effects into *England*. The Gentry likewise endeavoured to make Provisions for themselves there; and such as could compass Money laid it out in *England*, and fled after it to avoid the Storm they saw coming on *Ireland*. The Truth is, 'twas intolerable to them to live under the Government of their Footmen and Servants, which many must have done, had they staid; and they could not but dread a Parliament, that should not only be Slaves to the King's Will, who they saw was bent to settle Popery at any rate; but which must consist of Members that they knew to be their inveterate and hereditary Enemies, who would not stick to sacrifice the Liberties and Laws of the Kingdom to the King's Will, so they might procure from him Revenge on the Protestants, and turn them out of their Estates. For what would they stick at, that were

so servile as to accept such precarious Charters? They saw in this their own Ruin designed; and the Event has shewn that they were not mistaken; perhaps no King in the World, much less a King who had been obliged in so high a manner as King James had been, by his Protestant Subjects, did ever take so much pains to ruin his Enemies, or condescend to such mean Acts as he did, to ruin us.

S E C T. IV.

Fifthly, King James's destructive Attempts upon the Trade, and Trading part of the Nation.

1. **T**Rade is of so great Advantage to a Kingdom, and the Profit it brings to the Exchequer is so considerable, that it is hardly credible that any King should contrive to destroy it in his own Kingdom; and yet King James has given us just reason to conclude; that he design'd the Ruin of it in all his Kingdoms, at least was well pleased with it. Many Roman Catholics, who pretended to know his Mind, have confidently affirm'd, that he purposely let the Ships of England decay and rot, that the French might grow great at Sea, and destroy the Trade of the English. The Reason pretended for doing so, was to *bumble his Subjects*, and take away their Wealth from them, that made them proud and surly, so that the King could not have his Will of them; I speak the Language of these Roman Catholics; and the King himself could not sometimes forbear Words to the same purpose. And if we consider

N.B. The Author living in another Kingdom, and not knowing how much had been expended on the English Navy towards the end of King James's Reign, was led into this Inference by hearing, that the then Prince of Orange found no opposition at Sea when he came for England. But the preceding Discourses of King James and his Friends in Ireland are exactly related,

and might purposely be designed, to encourage the Irish Nation into the Faci-  
ly of Invading England, nothing being at that time more universally talked  
resolved by them.

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the condition in which their present Majesties found the *English Fleet*, the thing will not want probability. It was further pretended by many of King *James's* Officers, that it was more for the King's Advantage, to have his Subjects poor than rich: *For*, said they, *you see how willing the poor Irish are to enlist themselves Soldiers for Two pence a day, who know no better way of living: But it were impossible to bring the rich Churls of England (so they usually called them) from their Farms and Shops, on such terms, to serve the King.* They further alledged, That the Poverty of the Generality of *France*, is the reason that they are so willing to be Soldiers, and makes them so easily maintain'd when they are enrolled. Upon such destructive Maxims did they found their design of ruining Trade in these Kingdoms.

2. But whatever be said to the general Design, it is certain King *James* ruined the Trade of *Ireland*, in prosecution of his purpose of destroying the Protestants there. The Money and Wealth circulated in their Hands, and few others had either Stock, Understanding or Credit, to carry on a Trade besides them. They innocently imagined, if there had been no other Reason, that this alone would have prevailed with the then Government, to have permitted them to live secure, easie and quiet; but they quickly found, that King *James* and his Ministers would rather have had no Trade at all in the Kingdom, than it should be in the Hands of Protestants. Merchants have generally their Stock in Moveables, so that it is easie for them to transport themselves and their Effects into another Country, if they find themselves uneasie in their own. And sure the Protestant Merchants could not be easie in Towns which they had formerly governed, and in which they were now subjected to mean inconsiderable People; many of which had formerly been their own menial Servants, but now advanced to the Honour of being Magistrates, treated their late Masters, with such Affronts and Abuses, as are intolerable to Free Men,

Men, and, which *Solomon* observes, make even wise Men mad.

3. This, together with the apprehension of danger to their Lives and Fortunes, from the advancement of such indigent and malicious Persons to power, did drive most of the rich Traders out of the Kingdom. The rest contracted their Stocks, called in their Debts, and resolved to give over Trading, or else follow their Neighbours into *England*, as soon as they could clear themselves of their Business; the effect of this Resolution of theirs was ruinous to all such as were indebted to them, or in their Books; for it was impossible to raise Money to answer those Debts, when called for so suddenly, tho' they had Stock enough to answer them, if time had been allowed them, as they expected when they contracted them; by which means Protestants were forced to ruin one another, as well as some Papists that depended on them; a great many being forced thereby to shut up Shop, and break for small Debts, that bore no proportion to their Stocks and Credit, whose payment had been good, if they had not been called on too suddenly, and if the Circulation of Trade had not been stopped.

4. The next thing that destroyed the Trade of *Ireland*, was the advancing Persons of mean or no Fortunes unto Places of profit. These had no ready Money to give the Merchants, and yet were necessitated to live high, and appear in fine Cloaths; and either by force or fraud they got into the Shop-Books; and by refusing to pay, disabled the Merchants to make their usual Returns, and by that means broke their Credit, which is the Foundation of Trade. The Protestant Soldiers and Officers, in whose places the indigent Papists were substituted, were generally so good Husbands as to have some little thing in store; and hence were enabled to take up at the best hand, and punctually pay what they had expended; But these New-Comers gave their Creditors, where they chanced to be trusted, only Oaths and

and Curſes, and Abuſes, inſtead of Payment. A general ſtop of Trading immediately followed; eſpecially the Manufactures ſet up in the Kingdom, which were very conſiderable to its Trade, came to be neglected; and every thing upon *Tirconnel's* coming to the Government, was at a ſtand. The Clothier would not lay out his Mony to make Cloth, and pay Work-men, when it muſt either lye on his Hands, or he be obliged to truſt it to ſuch Debtors that would only return him Abuſes for his Mony. The Builder would not go on in his Building, and part with his ready Mony, when he could have no Security of enjoying it, or receiving Rent for it, if he Let it. By theſe means great numbers of Tradeſmen and Labourers, all generally Proteſtants, were reduced to Beggery, and their Families ſtarved. Such ſort of People as theſe, are the Men that carry on Trade, and enrich a place; but were now forced to leave the Kingdom, and ſeek elſewhere for Work: Their going away ſtopped the uſual Conſumption of Commodities, and made Trade yet more dead and heavy.

5. There was a third thing that did further diſcourage the Merchants, and that was the Exaction of the Custom-Houſes. The Officers found, that by the decay of Trade the King's Revenue muſt fall, and that then they would be in hazard to loſe their Places; to prevent which, they uſed all the Rigour and Exactions imaginable: They had Valuatorſ of their own chuſing, which put what Rates on Goods they pleaſed; and then the Merchant muſt pay the Duties accordingly without Remedy. Frequently the Values ſet on Goods were double, nay treble to what they ought to have been, and to the true inſtrinfick Worth of the Commodity, or what they could be ſold for; the Conſequence whereof was, that the Merchant paid often double or treble Duties to what he ought; and this was a great Diſcouragement to Trading. The Complaints of all People in general, as well as of Merchants, were great on the account

count of Exactions of the Officers of the Revenue, who were grown up to a high degree of Exorbitance; which, with many other Abuses in the Kingdom, proceeded from the long Disuse of Parliaments; the inferior Officers being freed from that Fear for twenty four years, did forget that there were any, to whom they were accountable, besides their own Masters; and therefore not only exacted upon and oppressed the Subjects, but likewise treated them with insufferable Insolence, while the Commissioners or Farmers strained and perverted the Laws for their own profit, or to ingratiate themselves with the Courtiers, on whose Favour they depended.

6. There was a fourth thing that more peculiarly ruined the Protestant Trade, and 'twas thus; the King's Revenue in *Ireland* was so considerable a part of each Man's Estate, that most of the current Coyn in the Kingdom came into the Treasury once in a year, either for Hearth-Mony, Crown Rents, or some other Duties. And the King having turned Protestants out of all profitable Emphyments, and out of the Army, and put in Papists, his Revenue was paid out again to them, and ought to have circulated indifferently amongst his Subjects, as it used to do. But so great was the Malice of these new Officers to Protestants, that they combined amongst themselves, to let them have as little of it as was possible; and therefore wherever they could lay it out with one of their own Religion, they did it. And very few Protestants ever received a Groat of their Mony, as the Citizens of *Dublin* can universally witness. When they wanted Mony they came to the Protestants Shops, where they abused and affronted and terrified them; if they refused to Trust; calling them *Dogs*, *Whigs*, *Rebels* and *Traytors*, swearing with many Oaths, that they would be revenged on them. But if they had ready Mony, tho' they had been formerly Customers to Protestants, and in their Books; they never came near them any more. This Practice was so universal amongst

them, that even the Women learn'd it ; particularly the Lady *Tyrconnel's* Daughters : For thus the Lady *Ross* and her Sister *Dillon* treated several Shopkeepers , falling furiously upon them in the former Terms, because their Servants refused to trust. By the like rudeness the Exchange was intirely ruined ; neither Buyers nor Sellers being able to keep in it, by reason of the Insolencies of the new Popish Officers who walked in it, affronted and assaulted every Body, or extorted their Goods from them for nothing, the Shopkeepers not daring to refuse to trust them. By this means the rich Shopkeepers were driven away, and most of the considerable Shops shut up, even in the principal Streets of the City, long before we heard any News of the Prince of *Orange*. As soon as the Earl of *Tyrconnel* came to the Government, there was almost a Desolation in the Town ; and there were at least fourteen or fifteen Trades that had nothing to do ; the Government knew very well that this would be the Effect of their Proceedings, and that the Trade, Manufactures and Improvements of the Kingdom must cease, if they went on at the Rate they did ; but they were so far from being concerned at it, that they rather seemed well pleased with it.

7. And to ruin our Trade intirely, they suffered and connived at the Transportation of our Wool to *France* ; a thing so fatal to *England* as well as to *Ireland*, that the Law has made it Felony to be punished with Death. The new Mayor of *Galway*, Mr. *Kyrowan* was caught in the very Fact ; and the Delivery of a considerable Cargo sent by him into *France*, was fully proved ; for which he ought to have been hanged : But the Lord Deputy *Tyrconnel*, notwithstanding all his Oaths and pretended Displeasure, when the Mischief of it was laid before him, quickly shewed this to be only a Copy of his Countenance ; for he not only granted him a Pardon, and remitted his Forfeiture of about 10000 *l*. but as a farther Mark of his Favour, he continued him in his Mayoralty for another year. Thus the Trade  
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of the Kingdom was ruined, and the Protestants, who with vast Hazard and Charge carried it on, had it left to their Choice whether they would stay here and starve, or remove themselves to another Kingdom; and I believe no Body will wonder if they had no great affection for a Government that designedly brought this hardship upon them.

8. It must be acknowledged, that King *James* did not only ruin the Protestant Trade, but that he went a great way in destroying the Trade of the Roman Catholics also. It is well known, that the Citizens of *Gallway* are the most considerable Roman Catholick Traders in *Ireland*; many of whom had purchased Estates under the Acts of Settlement and Explanation, and must therefore fall together with them. They foresaw their own ruin in the Repeal of those Acts, and petitioned the Parliament, that Consideration might be had of their Purchases and Improvements; but this reasonable Request was denied them; those Acts were repealed, and by their Repeal, left the most considerable Roman Catholick Traders in *Ireland* without Estates or Credit to follow their Trade, or to answer their Correspondents abroad.

I might add here the further steps made by King *James* towards ruining the Protestant Trade, by his coining Brass Mony, by his lodging it in Protestants Hands, seizing their Stocks and Commodities, whereby they were utterly disabled to Trade; whilst Papists were not only spared, but had the Protestants Goods put into their Hand. But these with the other Influences the Brass Mony had to destroy us, will be more proper, when we come to consider the Invasions made on our Properties.

## S E C T. VII.

Sixthly, *King James's destructive Proceedings against the Liberties of his Protestant Subjects.*

I. **T**Here is no worldly thing more valuable to Man than Liberty. Many prefer it to life ; and few can live long without it. 'Tis the Darling of our Laws, and there is nothing of which they are more tender. But the Protestants of *Ireland* from the very beginning of *King James's* Reign, had their Liberties invaded, and at last intirely destroyed. 'Twas observable, that at his coming to the Crown he made no Proclamation for a general Pardon , as has been usual with Kings ; neither did he pass any Act of Grace in his first Parliament, which gave a fair opportunity to the Papists of *Ireland* to revenge themselves on their Protestant Neighbours. No sooner had they got Judges and Juries that would believe them, but they began a Trade of Swearing, and ripping up what they pretended their Neighbours had said of his late Majesty , whilst Duke of *York* some years before, especially in time of the Popish Plot. The new Justices of the Peace were eager to exercise their Offices, and therefore on the slightest occasion , Bound over and Committed their Protestant Neighbours, many times without any reason at all ; at least, without any given in their Warrants : It was time enough to invent some against the next Affizes. There never wanted Evidence enough to accuse a Man ; the very Priests being forward to encourage such Perjuries, as were to the prejudice of Protestants. Of this there are several Instances on Record in the Courts of Justice ; where we find them sometimes swearing Falshoods themselves, and sometimes encouraging others to do it. Of which the Courts, even in spite of all their partiality, were satisfied. I gave one Example before in *Sir William Petty's* Case. There is another of *Mr. Balfours* in the

the County of *Fermanagh*, where the false Affidavit of one *Hulagban* a Priest had almost destroyed his Cause, and lost him a considerable Estate.

2. Upon this account Perjuries became so common, that if a Tenant owed his Protestant Landlord his Rent, he payed him by swearing him into a Plot, or by fixing on him some Treasonable or Seditious Words. If a Papist had any former Quarrel with his Protestant Neighbour, or owed him Money, he paid him in the same Coin. Many were Indicted by these Contrivances; many found Guilty, and excessively Fin'd; some were Imprison'd for their Fines, not being able to satisfy the King, who seized both their Bodies and Estates. Hardly any County in *Ireland* was free from numerous Indictments of this kind, and very few Country Gentlemen escaped being Accused. Great numbers were Indicted and found Guilty in the Counties of *Wexford* and *Wicklow*, to the number at least of sixty; the most considerable Gentlemen in the County of *Meath* were Indicted, but had better luck; the Perjury of their Accusers being made so manifest, that even a Popish Bench had not the confidence to countenance it, nor a Popish Jury to find it. Thus Mr. *Meredith*, Mr. *Parry*, Mr. *Chet* a Minister, and several others, escaped; having discovered the very bottom of a wicked Contrivance, to carry on a Trade of Swearing against all the Gentlemen in the Country; but tho' they discovered it, yet they durst not prosecute it, by reason of some Priests being concerned in it, and of the Discountenance of the Courts; a great many in the County of *Tipperary*, were likewise brought into Trouble, but escaped the first time by a kind of Miracle; one of the Jurors was so maliciously bent against them, that he swore he would die before he would acquit them: It hapned to him according to his own desire, he fell dead in the place, whilst they were disputing about returning the Verdict, which saved the Gentlemen for that time. Yet this did not discourage their Prosecutors, they caused them to be Indicted anew,

and upon their second Trial *Justin Macarty* (afterwards made Lord *Mountcashell* by King *James*) came into the Court, threatned and hector'd Sir *John Mead*, who then sat as Judge for the Duke of *Ormond* (it being within his Graces Palatinate) because he would not direct the Jury to find them Guilty; but Sir *John* stood his Ground, and declared, that there was no sufficient Evidence against them; upon which they were acquitted. It vexed them, that they could not bring their Popish Judges and Sheriffs into that County, as they did into the rest of *Ireland*, by reason that the nomination of them was in his Grace, as Lord of the Regalities; and therefore in their pretended Parliament they not only Attainted him, but likewise, by a particular Act, dissolved his Principality. Their first Plot against the Gentlemen of the County having miscarried, they began a second, and got Depositions against several; but they were as unlucky in this as in the first. They laid the Scheme of their Affairs so unskillfully, that the Witnesses swore, that the Gentlemen met to carry on their Plot at *Nenagh*, a place above sixty Miles from *Dublin*, on the same day that some of them had been examined before the Council-Board on the first Informations. This appearing to the Council by an entry made in their own Books, quashed the Design against them, and saved them a third time. It would make a Volume, to enumerate all the particulars of this Nature.

3. The new Mayors and Justices of the Peace were no less troublesome to Protestants in their Employments; they made no scruple to send their Tokens and Warrants for Persons of the best Quality. And wherever a Papist and Protestant had any difference, there need'd no more but a Complaint to procure a Committal, and to be sure it was done with all the Indignity and affronting Circumstances imaginable. Sir *Thomas Hackett*, whilst Lord Mayor of *Dublin*, did so many brutish and barbarous things of this nature, that  
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it were endless to recount them ; taking Example from the Lord *Tyrconnel*, who made him Mayor, he treated every Body with Oaths, Curſes, ill Names, and barbarous Language. The Lord Primate *Boyle's* Family could not eſcape his Warrants; he (or his Clerk, as he afterwards pretended) ſent one for Mr. *Francis Cuff*, and Mr. *Jephſon*, who lived in my Lord's Family, being his Son in Law and Nephew : Their Crime was, reſuſing to contribute to the Maintenance of two begging Fryers; one of them was one *Magee*, a Debauchee and Renegado, who had the impudence to have demanded it from my Lord Primate, if he had been permitted acceſs. The Fryers vexed that they ſhould be repulſed, procured a Warrant for the two Gentlemen that reſuſed them, and attempted the Execution of it in my Lord Primate's Houſe, with a Rabble of near Two hundred. Sir *Thomas* was not content to execute his Authority within his own Precincts, but extended it where the Mayors Power was never owned. He ſent his Warrant and committed the Officers of *Chriſt-Church, Dublin*, to the Stocks, becauſe he fancied they did not make the Bells ring *merrily enough* for the Birth of the Prince of *Wales*. It was in vain for the Officers to tell him, that their Church and Parſons were not ſubject to his Jurisdiction; that if the Bells did not ring *merrily enough*, as he alledged, it was the Ringers fault, not theirs. That no Body, beſides his Lordſhip, could obſerve any ſuch thing in their Ringing. His bruitiſh Paſſion would not give him leave to hearken to Reaſon ; but upon all occaſions he proceeded in the ſame method; which made every Body, that valued his Liberty, get out of his Power ; and prevailed with a great many to leave their Eſtates and Concerns, and Transport themſelves, and what Effects they could carry with them into *England*. It was unſafe and uneaſie living both in the City and in the Country, and he reckoned himſelf happy that could get out of them at any rate.

4. But when the Descent was made by His present Majesty into *England*, things grew yet more troublesome. The Protestants were every where Robbed and Plundered. The new Commissioned Officers and their Soldiers, under the Name of Rapperies, committed many Outrages and Devastations on their Protestant Neighbours; insomuch as they could not be safe in their Houses. If any endeavoured to keep their Houses, tho' merely to secure themselves from the Robbers and Tories, immediately they were Besieged; and tho' they surrendered themselves as soon as Summoned, having no design to resist Authority; and put themselves into the Hands of King *James's* Officers, upon promise of Freedom, nay, on Articles; yet afterward they were Imprisoned and Prosecuted, as *Mr. Price* of *Wicklow*. Some of them Condemned and Executed; which hapned to *Mr. Maxwell*, and one *Lewis*, in the *Queens-County*. They thought it not safe to Execute some till the War was over, and therefore only kept them in Prison. So *Sir Laurence Parsons*, and many others were served.

5. At last it came to a general Seizure, and almost all the Protestant Gentlemen, without Reason or pretence of Reason, without so much as a Warrant or Form of Law, were put in Gaols under the custody of mean and barbarous Guards, whose very Captains had had no better Education than that of Footmen or Cowherds; who exercised what Understanding they had, to invent new methods of vexing their Prisoners. This general Confinement continued with most, from the middle of Summer 1689, till Winter; and with some, till his Majesty's Victory at the *Boyne* set them all at Liberty: During all which time, no Reason or Ground of their Committal was given; nor were *Habeas Corpus's* allowed them, tho' earnestly solicited. One indeed was allowed to *Mr. Thomas King*, a Minister, which being the only one that took place, it may be proper to give the Reader an account of the Case. The reason  
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of his Committal was really a Quarrel picked designedly with him by an Officer of the Guards, because he refused to admit one *Ambrose*, the Popish Quarter-Master of the City, for a Godfather to a Protestant Child, whom he Christned: In Revenge whereof the Officer intruded into his Company whilst at Meat, as was common with them, and would needs oblige him to drink Damnation and Confusion to the Prince of *Orange*; which he modestly declining, and alledging that it was unfit for a Christian, much more for a Clergy-man, to drink Damnation to any: The Officer hurried him away to *Newgate* by his own Authority, and after lying there till the Term, his *Habeas Corpus* was allowed him, upon the Return made by the Gaoler. The Court was so vexed at it, that they fined the Gaoler for making such a Return, but in earnest because he made any, for that was the contrivance they had to keep People in Gaol: And after all he was still kept a Prisoner notwithstanding his *Habeas Corpus*, till most were bailed; and then upon Bail of five thousand pound he was permitted to go out: Under which Bail he continued as all the rest did, under the like Sums, till the general Deliverance. After his, no more *Habeas Corpus's* were allowed. Most of the Prisoners towards the depth of Winter were indeed Bailed, and continued so from Term to Term, till the News of His present Majesties arrival, and then all were confined anew, notwithstanding their Bail, with some that had not been Confined before. At the Hour when the last of King *James's* Forces were leaving *Dublin*, they were ordered to carry away four hundred Prisoners along with them; But the Officers were too much afraid of a Pursuit, and too busie in carrying off their own Baggage, to imbarraiss themselves with Prisoners; and therefore for a little Gold dismissed them. How the Protestants of *Drogheda*, who were all made Prisoners, were used, whilst the Town was surrounded, is not to be forgotten. They carried them to the Mount where they expected the Cannon



Cannon would play, tyed them together, and set them to receive the Shot, if the Town had been Attacked: But their Hearts failed them who were to Defend it, and so it pleased God to preserve the poor Protestants, they being delivered, together with the Town, to his Majesty, upon Summons and Articles. The Protestants of *Cork*, and other Towns, were yet worse used; they were carried from their own Homes, to some remote Castles, and there kept without Conveniences till many of them perished. There were some very barbarous Circumstances in their Sufferings, which I must leave to the persons themselves to relate, having not yet had full Information.

6. During their Confinement, the Prisoners were kept very strictly, their Servants, Children and Wives were often debarred from seeing them; or when admitted, not suffered to speak to them, but in presence of the Soldiers. In *Dublin*, when they had filled the Goals, the Hospitals, the Colledge, and other places of Confinement, they at last imprisoned the Citizens in Churches. They were crowded into stinking, nasty, unhealthy Rooms, sometimes twenty, sometimes forty in a Room. At the Colledge, and at a House called *White-Friars*, where there were many Prisoners, they put Barrels of Powder under them, threatening to blow them up if they should be prest, and not able to keep the places. Colonel *Luttrell*, Governour of *Dublin*, denied indeed that this was done by his Order; but yet when he was informed of it by Sir *John Davis*, then a Prisoner and Witness of it, he commended the discretion of the Officer that did it. This Confinement did not only fall on Gentlemen, but also on the Clergy, nay, on the meanest Citizens. Whoever pleased, had a power to Commit Protestants; and if at any time they asked by what Authority they were committed, those that Committed them made no other answer than that *they Committed them, let them get out as they could.* Some few Gentlemen were indeed Committed by C. J. *Nugent's* War-

Warrant, upon a kind of Affidavit made by one *Leak*, whom most of them had never seen : Several of these, by express Orders of the Lord Chief Justice, were sent to *Newgate*, and Committed in the Common Gaol, in the same Room with Thieves and Common Rogues, tho' Gentlemen of the best Quality in the Kingdom : And so hasty was his Lordship in it, that he did it before he knew some of their Names ; which he was afterward forced to send for, and learn from themselves. A Bill was prepared against them, and offered to the Grand Jury ; but *Leak* was unwittingly clapt up, by one of themselves, for a former Robbery, at the time he should have given Evidence, and so the Gentlemen escaped being Tryed. The Confinement was yet more severe and uneasy in the Country ; the Gentlemen being at such distances from their own Homes, that they could hardly be supplied with Necessaries.

7. It may be thought that these things were unknown to King *James*, and therefore are not to be imputed to him ; but it is certain, that if he did not contrive and order them, he yet consented to them, neither did he seem to have the least resentment or pity for their Sufferings ; as appeared from his Carriage to the Bishop of *Lymerick*. His Lordship, by his Majesties Command, on a particular Service waited often on him ; he took one of those Opportunities that seemed most favourable, to lay before his Majesty the manifold Hardships which were put on the Clergy, and the Protestants in general, of his Diocese. He represented to him how they were first Robbed of all, and then laid in Gaol ; and that they had no way offended his Majesty, or disturbed his Government ; and begged his Favour in their behalf. His Majesty heard him, but made him no answer ; instead thereof, he fell into discourse of another Affair, with a Papist that chanced to be by, and that with an Air more than ordinarily pleasant and unconcerned. Indeed his Majesty had by one general Order and Proclamation, dated 26 July 1689, confined all

all Protestants, without distinction of Age or Sex, to their Parishes and Cities; and tho' their Occasions were such, that he very well knew that this alone, without any more, was a very great encroachment on their Liberty, and a mighty inconvenience to their Affairs; especially when it was continued without Reason or Limitation. No body knew when this would be relaxed; and it was Executed with great strictness, till his present Majesties success put an end to it, and to the Power that imposed it.

8. But lest these Hardships and Restraints should either be avoided by our flight, or known in *England*, where King *James* had a Party to cry up the Mildness of his Government, and face down the World that the Protestants lived easily and happily under him in *Ireland*, a most strict Embargo was laid on all Ships, and effectual care taken to destroy all Correspondence with our Friends there: Inomuch that to avoid a Gaol, great numbers of Gentlemen and other persons were forced to make their Escapes in small Wherries and Fishing-Boats, which before these Times durst never venture out of the sight of the Shoar: But it seemed more tolerable to every body that could compass it, to cross the *Irish* Seas, so famous for their Boisterousness and Shipwrecks, in that hazardous manner, than to continue under a Government where they could call nothing their own; where it was in the power of any that pleased, to deprive them of their Liberty; where they durst not Travel three Miles for fear of incurring the severest Penalties; where they could not send a Letter to a Friend, tho' in the next Town, and about the most necessary Occasions; and where, tho' never so cautious and innocent, they were sure at last to be sent to Gaol. A Government that thus encroached on our Liberties, could not expect we should continue under it longer than we needs must; and it had been unpardonable Folly in us not to desire, much more to reuin, a Deliverance, especially from *England*: Which if Blo

and Treasure, or a Possession of five hundred years can give a right to a Country, is justly intituled to the Government of *Ireland*. And which, if it had no other Exception against King *James's* Government, but his Carriage towards *Ireland*, and his Attempts to separate it from its dependence on *England*, must be justified by all the World, in their laying him aside, as a Destroyer of his People, and a Disinheritor of the Crown of his Ancestors.

S E C T. VIII.

Seventhly, *The Preparations made by the Earl of Tyrconnel, to ruin the Estates and Fortunes of the Protestants, by taking away their Arms.*

1. **I**T is Property that makes Government necessary; and the immediate end of Government is to preserve Property; where therefore a Government, instead of preserving, intirely ruins the Property of the Subject, that Government dissolves it self. Now this was the State of the Protestants in *Ireland*: The Government depriv'd them contrary to Law and Justice (nay, for the most part, without so much as the pretence of a Crime) of every thing to which persons can have a Property; even of the Necessaries of life, Food and Rayment. To lay this more fully before the Reader, I will shew first, That King *James* took away the Arms of Protestants: Secondly, That he took away their personal: And, Thirdly, Their real Estates.

2. When his present Majesty made his Descent into *England*, King *James* had an Army of Papists in *Ireland*, consisting of between seven and eight thousand, of which, near four thousand were sent over to him into *England*; there remain'd then about four thousand behind, scattered up and down the Kingdom; which were but a handful to the Protestants, there being Men and

and Arms enough in *Dublin* alone, to have dealt with them: When therefore the News came, that King *James* had sent Commissioners to treat with the Prince of *Orange*, it was propos'd by some to seize the Castle of *Dublin*, where the Stores of Arms and Ammunition lay; the possibility of this was demonstrat'd, and the Success extremely probable; insomuch that the persons who offer'd to undertake it, made no doubt of effecting it; they consider'd that the Papists, besides the Four thousand of the Army, were generally without Arms; that those who were in Arms, were raw and cowardly, and might easily be suppress'd; that to do it effectually, there need'd no more but to seize the Deputy *Tyrconnel*, who had not then above six hundred Men in the City to guard him, and secure it; that their Hearts were generally sunk, and they openly declared themselves to be desirous to lay down their Arms; propos'd to themselves no other Conditions, but to return to the station in which they were when King *James* came to the Crown. This was so universally talk'd of by themselves, that if any one could have assur'd them of these terms, there was no doubt but that they would readily have comply'd, and have left the Lord *Tyrconnel* to shift for himself; nay, it is probable, the wiser sort

(a) See Appendix,  
N. 14.

amongst them would have been glad that the Protestants had seiz'd him; and he himself (a) commanded some Protestants to signify to their Friends in *England*, That he was willing to part with the Sword on these terms, so he might have leave to do it from King *James*. But the Protestants had been educated in such a mighty Veneration to the very Name of Authority, and in so deep a sense of Loyalty, that notwithstanding the many Provocations given them, and their fear of being serv'd as in 1641, the Memory of which was still fresh to them, they yet abhorr'd any thing that look'd like an Insurrection against the Government; and generally condemn'd the Design of meddling with the

the Lord Deputy, tho' they knew he was no Legal Governour, and uncapable by the Law of that Trust. Especially the Lord *Mountjoy* laboured for his safety, and prevented the fore-mentioned proposal of Seizing him and the Castle, with as much industry as if he himself had been to perish in it.

3. The truth is, It was an unanimous Resolution of all the Protestants of the Kingdom, that they would not be the Aggressors; and they held steadily to their Resolution. None offer'd or attempted any thing, till they saw the whole Body of the Papists in *Ireland* forming themselves into Troops and Companies, and these New rais'd Men permitted, nay, put under a necessity to rob and plunder for their subsistence. They pitied the hard Fortune of King *James*, and notwithstanding they were half ruined themselves when he came into the Kingdom; yet if he had carried himself with any tolerable Moderation towards them, and his Designs to ruin them had not been so apparent, he might have prevailed on them in a great measure. But his Behaviour was such, as shall appear in the sequel of this Discourse, that it left no room for them to expect or hope for any Safety under his Government; of which such Protestants as had followed him from *England* were generally so sensible, that many of them repented too late their having stuck to his Interest, and heartily wished themselves at home again: Openly professing, That they could not have believ'd that he was such a Man, or his Designs such as they found them: Nay, several of the *English* Papists that came from *France* with him, abhorr'd his Proceedings; and us'd to alledge, That he not only hated the *English* Protestant, but also the *English* Man. The very Ambassadour d'*Avaux*, if he might be believ'd, was dissatisfied with King *James*'s Measures, and condemned them; alledging, That he had intirely given himself up to the conduct of the bigotted *Irish* Clergy, and of *Tyrconnel*; who in earnest was the only Minister he trusted, and would effectually ruin

ruin him and the Kingdom: Whatever the Ambassador thought, it is certain he has Discours'd in this manner, and the event has answer'd the prediction.

4. But to return to the Lord *Tyrconnel's* dealing with the Protestants: When he found himself so very weak, and so much in the power of the Protestants, that nothing but their own Principles of Loyalty secur'd him against them, he betook himself to his usual Arts, that is, of Falshood, Diffimulation, and of Flattery; which he practis'd with the deepest Oaths and Curses; protesting, that *he would be rid of the Government very willingly, so as it might be with Honour: That it was easie for him to ruin and destroy the Kingdom, and make it not worth one Groat; but impossible to preserve it for his Master.* Every body wondred to find so great a Truth come so frankly out of the Mouth of one they usually styl'd *Lying Dick Talbot*, and who had been known, not without reason, many years by that Name. Some believ'd that in earnest he intended to part with the Sword, and perhaps if it had been demanded before King *James* went into *France*, it had not been deny'd: There wanted not several to second the same Truth to him, with all earnestness and application, both in Writing and by Word of Mouth, which the Deputy seem'd to approve: All that he answer'd to their persuasions to surrender and save the Kingdom was, That *he could not do it with Honour, till it was demanded; and sometimes he ask'd them in Raillery, if they would have him cast the Sword over the Castle-Walls?* What he desir'd the World should at that time believe concerning his Intentions, may be best collected by the Letters he procur'd to be written and sent into *England*. I have in the *Appendix* given the Copy of one written by his Command, and perused by him before it was sent; it was from a Protestant of good Sense and Interest in the Kingdom, to another in *London*: Several were written by his Order to the same purpose.



'Tis observable in this Letter in the Appendix :

*First*, That the Lord Deputy owns the Robberies then committed, but would have it believ'd, that the Members of the Army were not the Robbers; which sufficiently shews the falshood of the Allegation whereby the Papists would excuse themselves, as if they had not begun to Rob till the Protestant Associations were set on foot; whereas those were some while after this Letter, and occasioned by the Robberies mention'd in it.

*Secondly*, He would have it believ'd, that the Papists fear'd a Massacre from the Protestants, as much as the Protestants from the Papists, which had no ground: The Arms, Forts, Magazines, &c. being in the Papists hands, and a vast number of Men every where enlisted by their new Officers: It is true, that the *Priests* did by Order of their *Grandeess*, endeavour to spread such a Rumor, to make their own people Arm the faster; which if it were at all credited by some few of them, was look'd on as ridiculous by all others.

*Thirdly*, He would have the People in *England* believe, that he and the Roman Catholicks were willing to give up the Sword, and return to the Condition in which they were before the Death of King *Charles* the Second. This is plainly the main design of the Letter; and some think he was sincere in it, till the coming over of Colonel *Richard Hamilton* altered his Measures; but that is not at all probable, his Actions all along signifying his Resolution to destroy the Kingdom, rather than part with his Greatness. However, he made a shift to persuade some Protestants that he meant it; their own earnest Desires that it might be so, helping to impose on them; amongst whom the Writer of this Letter hapned to be one, but was not singular, many of good sense being deceived as well as he.

*Lastly*, It appears from the Letter, that the Roman Catholicks, as well as the Protestants, were of Opinion, That the Kingdom must be ruined, if not yielded up to the Prince of *Orange*: And if so, Had not the Protestants

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restants in the North reason so do that, which in the Opinion of all could only save the Kingdom? The case then stood thus with them, if they joyned with King *James*, or sate still, they were certainly undone; if he perished, they must perish with him; if he conquered, he would then be in a capacity to execute his destructive Intentions against them, which he had entertained long before: But if they joyned with their present Majesties, they were sure of Safety and Protection as long as *England* is able to Master *Ireland*, which in probability will be for ever.

But whatever the Lord *Tyrconnel* profest of his being desirous to give up the Sword, 'tis certain he meant nothing less; and the generality of Protestants believed, that he only design'd to gain Time and delude them, till he had gotten something like an Army to Master them; and they had the more reason to believe it, because whilst he profest the greatest Inclinations to Peace and Accommodation, he was most intent on providing for War, and gave out above Five hundred Commissions of one sort or other in a day; which yet he did in such a manner, as to make the least Noise, not passing them in the regular Forms, or entring them in the usual Offices, but antedating them, the more to delude and amuse the Protestants; which put the Muster-Masters Office out of order ever after, most of these

*Appendix, N. II.* Commissions being never entred in it: Nor was it ever able to furnish a perfect List of the very Field Officers, as will appear from the List it self in the Appendix.

5. These new made Officers were set on foot, partly on the first Noise of the Prince of *Orange's* descent, and partly in the beginning of *December*, 1688, and were without Mony, Estate, or any other visible means, to raise their Troops and Companies, and to Subsist (so they term'd Maintaining) them for three Months, from the First of *January*; a thing impossible, without allowing them to Steal and Plunder. It was this struck

so much Terrour into Protestants, and made them so jealous and apprehensive of Danger, that they fled into *England* in great numbers, especially when they found that the new Raised Men, as they surmised, began to make havock of all things. It was this gave Credit to a Letter dated *See Appendix.*

*December* the Third, 1688, sent to the Lord *Mount Alexander*, whether true or counterfeit I cannot determine, intimating a Design to destroy the Protestants on Sunday the Ninth of the same Month, which Letter was spread over the whole Kingdom. The People of *Derry* had beside this, several Letters and Intimations of Mischief designed against them, and against the Protestants of *Ireland*. And tho' that directed to the Lord *Mount Alexander*, may not seem of great weight, yet whoever considers the Circumstances of the Protestants of *Ireland* at that time, will acknowledge that it was not to be despised. In the Year 1641, the seizing of *Dublin* by the Lord *Mac Guire*, was prevented by as improbable a Discovery as this Letter; while the Protestants in the rest of the Kingdom were Massacred through the Incredulity of some, who could not be persuaded to give ear to such Intimations of the Design, as were brought before them. In *England* the Gunpowder-Treason was revealed, and the destruction of the Three Kingdoms prevented by a Letter as insignificant, as that directed to the Lord *Mount Alexander*. About the very time intimated in the Letter for the Massacre, a New raised Regiment belonging to the Earl of *Antrim*, appeared before the Town without the King's Livery, without any Officers of Note, or the least Warning given by the Earl of their coming; lastly, without any Arms besides Skeans, Clubs, and such other weapons as Kearns and Tories used.

6. The People of the Town were frightened at the Sight, and refused them Entrance into the City; this was the first Rub or Provocation the Lord Deputy met with; it was a meer Accident, and proceeded from his

own Ignorance or Negligence, who had left that Garrison, the only one of any considerable strength in *Ulster*, where most Protestants lived, without one Soldier to guard it; and then sent such a pack of Russians to take possession of it, many of whose Captains and Officers were well known to the Citizens, having lain long in their Gaols for Thefts and Robberies. When therefore such a Body of Men came to demand Entrance at the very time that they expected a Massacre, what could they imagin, but that these Men came to execute it; and who could blame them for shutting their Gates? They were well assured that these were Men fit for such an Execution, and that they were ready on Command to do it, and perhaps would not stay for an Order. The Lord Deputy bethought himself too late of his Error, but could never retrieve it; tho' by means of the Lord *Mountjoy* he did all in it that was possible, having brought the City to accept of a Pardon, and receive a Garrison of Soldiers; but then it was such a Garrison as they were able to Master, and no more by the Articles were to be admitted into it before the ensuing *March*.

7. We ought to remember the Reason of Building *Londonderry*, and 'tis plain from its Charter granted by King *James* the First, that it was founded to be a Shelter and Refuge for Protestants against the Insurrections and Massacres of the Natives, who were known always to design, and be ready to execute their Malice on their Conquerors: To keep them therefore in awe, and secure the Plantation, was the Design of Building the City; it was upon this Condition, and by these Covenants the Proprietors of the City held their Estates; and the Inhabitants had been false to the very Design and End of their Foundation, if they had given up the City, with the keeping of which they were intrusted, into the hands of those very Men against whom by the Charter it was design'd to be a Security and Bulwark. At this rate the Lord Deputy might give away any  
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mans Estate, and have bestow'd it on his greatest Enemy, and that with much less injury to the Publick.

The People therefore of *Londonderry* had good reason to refuse to deliver their City to the Kearns and Tories of *Ulster*, tho' enlisted under the Earl of *Antrim*, by a Commission from a pretended Lord Deputy; these were excluded by their very Charter, and by the Design of Building the place, from possessing it: Much less had they reason to Deliver it to a parcel of Men of whose Commission they knew nothing, and whose Errand they had reason to believe was to Cut their Throats.

8. 'Tis to be considered, that *Londonderry* was under a further Provocation to lay hold on the first Opportunity to do themselves Justice, and that was the wicked and illegal Invasion made on their Charter, Liberties, Priviledges and Estates, by a most unjust and oppressive Sentence given by an unqualified Lord Chief Baron on a *Quo Warranto*, for which there was not the least pretence in the World, as may appear to any one that will be at the pains to view the Proceedings in Court: By this Sentence, grounded on a foolish Nicety objected to the Plea, the whole *English* Interest and Plantations in that County were ruined, and the whole Designs of them destroyed and perverted; and therefore it was not to be wondred, if they took the first Opportunity to save themselves from imminent Destruction. They concluded that a Government, who on a Nicety could take away their Charter, their Priviledges, their Estates, and subvert the design of Building their City, might as easily and unavoidably find another Nicety to take away what remained, together with their Lives; and therefore they cannot be much blamed, if they had been under no other Temptation but this, that they were willing to withdraw themselves from a Government whom they durst not trust, and which took all Advantages against them to destroy them.

9. The shutting up of *Derry* against the Earl of *Antrim's* Regiment, was all that was done by any Protestant in *Ireland* in opposition to the Government, till King *James* deserted *England*; except what was done at *Enniskillin*, where the People were under the same Circumstances with those of *Derry*, having about the same time refused to quarter two Companies sent to them by the Lord Deputy. They were not so much as Summoned by him, nor did they enter into any Act of Hostility or Association, or offend any till Assaulted, being content to stand on their Guard against such as they knew to be mortal Enemies to the *English* Interest; to subdue whom, they were planted in that wild and fast Country. But as soon as the News of King *James* his deserting the Government came into *Ireland*, all Protestants look'd on themselves as obliged to take care of their own Preservation; and finding that continual Robberies and Plunderings were committed by such, as the Lord Deputy, against the Laws of the Kingdom and the Interest of the Nation, had intrusted with Arms and Employments, and that no care was taken by him to prevent those Mischiefs, (but on the contrary the Robbers were secretly cherished and encouraged,) the Gentlemen in the North, to prevent their own Ruin, and the Ruin of all the Protestants of *Ireland*, which they saw unavoidable, entred into Associations to defend themselves from these Robbers; their Associations did really reach no farther than this, nor did they attempt any thing upon the Armed Robbers, except in their own Defence, when invaded and assaulted by them: Insomuch that I could never hear of one Act of Hostility committed, wherein they were not on the Defensive. Their Crime then, if any, was only this; They were not willing to suffer themselves to be Robb'd and Plunder'd as their Neighbours were, without Opposition, but disarmed some of those who under colour of being King *James's* Soldiers, destroyed the Country: This was all the Reason the Lord Deputy

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and Council had to call them Rebels, and to charge them in their Proclamation dated *March the 7th, 1688*, with *Actual Rebellion*, and with Killing and Murdering several of his Majesties Subjects, and with Pillaging and Plundering the Country; whereas it was notorious they never killed any whom they did not find actually Robbing, to kill whom, the Laws of the Kingdom not only indemnified them, but likewise assigned them a Reward; and for Plundering, it is no less notorious that they preserved the whole Country within their Associations from being Pillaged, when all the rest of *Ireland* was destroyed: And their great care of themselves and their Country was the Crime which truly provoked the Lord Deputy, and made him except from Pardon Twelve of the principal Eftated Men in the North, when he sent down Lieutenant General *Hamilton* with an Army, which he tells us in the same Proclamation, *would inevitably occasion the total ruin and destruction of the North.*

10. And lest there should be any Terms proposed or accepted by the People in the North, and so that Country escape being Plunder'd and Undone, he made all the haste he could to involve the Kingdom into Blood: King *James* was every day expected from *France*, and landed at *Kinsale, March the 12th*; but no Persuasions would prevail with the Lord Deputy, to defer sending the Army to the North, till the King came, though he had good Assurance given him by several, who knew their Minds and Tempers, that in all probability, if King *James* himself appeared amongst them and offered them Terms, they would have complied with him, at least so far as to submit quietly to his Government: But it was the Lord Deputy's design to destroy the Protestants there, as well as in the rest of the Kingdom; and therefore he halted to make the Parties irreconcilable, by engaging them in Blood, and by letting loose the Army to Spoil and Plunder. The War therefore was intirely imputable



to him, and the Protestants were forced into it, having no other Choice than either to be undone without offering to make any Defence for themselves, or else with their Arms in their Hands, to try what they could do in their own Preservation.

11. But it must be considered, that *Ireland* is a Kingdom dependent on the Crown of *England*; and part of the Inheritance thereof, and therefore must follow its Fate, which it cannot decline without most apparent Rhin to the *English* Interest in it. Now King *James* having abdicated the Government of *England*, and others being actually possessed of the Throne, it was the business of the Protestants of *Ireland* to preserve themselves rather than dispute the Titles of Princes; they were sure it was their Interest and their Duty to be subject to the Crown of *England*; but whether King *James* was rightly intituled to that Crown, is not so easily determinable by the Common People: No wonder therefore they declared for King *William* and his Queen, whom they found actually in the Throne of *England*, and own'd as rightful Possessors by those who had best reason to know, rather than for King *James*, who indeed pretended to do it, but with this disadvantage amongst many others, that he was out of Possession; and he had not used the Power when he was in Possession so well, that they should be desirous to restore him to it, with the danger of their own Ruin.

12. They considered further, That their defending themselves and those Places of which they were posselt, would in all probability very much contribute to save not only themselves, but likewise the Three Kingdoms, and the Protestant Interest in *Europe*; to which it did certainly in some measure contribute. King *James* and his Party believed it, and declared themselves to this effect; and some of them were very liberal of their Curses on the Rebels in the North, as they called them, for this Reason: *Had (said they) the Rebels in the North joyned with King James, he had such a Party in England*  
and

and Scotland, which (together with the Succours he might have sent from Ireland, and the Assistance of the French King) would in all probability have shaken the Government of England before it had been settled; but the Opposition of Enniskillin and Derry lost the Opportunity, that will not easily be retrieved. How far this Conjecture of theirs was probable, I leave it to the Reader; what has hapned since, shews that it was not altogether groundless; if the Design had taken, the Condition of Europe, especially of the Protestants, had been most deplorable; but it pleased God to spoil all their Measures by the Opposition made by a small Town, Mann'd with People before that time of no extraordinary Reputation in the World, for Arms, Valour or Estates, and who perhaps had never before seen an Enemy in Arms: King James was pleased to call them a Rabble; but it must be remembred to their Honour, that they out-did in Conduct, Courage and Resolution, all his Experienced Generals. To a Man that seriously reflects on it, the thing must almost seem miraculous, all Circumstances considered; the rest of the Kingdom, except Enniskillin, had yielded without a Blow; most of the Chief Officers, Gentlemen and Persons of Note, Courage or Interest in the North, had deserted their New rais'd Troops without Fighting; the Succours designed for them from England came at the very time when the Town was ready to be invested, and the Officers that came with those Succours, as well as their own Officers, were of Opinion that the Place was not to be defended; that they had neither Provisions nor Necessaries to hold out a Siege: The Officers therefore privately took a Resolution to return for England, and carried along with them most of the Gentlemen and Leaders of the Town, without leaving any Governour or Instructions for the People what they were to do, and without offering to make any Conditions for them; but neither this, nor their extream want of Provision, to which they were at last reduced, nor the Consideration

ration of their Friends, whom their Enemies treated barbarously in their fight, could prevail with them to give up themselves or their Cause; but by Patience and Resolution they wearied out their Enemies, and instead of letting them make Approaches to their Walls, they enlarged their Out-works upon them, and made them confess, after a Siege of fifteen Weeks, That if the Walls of *Derry* had been made of Canvass, they could not have taken it.

The same may be said of the People of *Enniskillin*, who lived in a wild Country, and untenable Place, surrounded with Enemies on every side, and removed from almost all possibility of Succour, being in the Heart of *Ireland*; yet they chose to run all Hazards and Extremities, rather than trust their Faithless Enemies, or contribute to the ruin of the Protestant Interest by yielding. After almost all their Gentry of Estates or Note had left them, or refused to joyn heartily with them, they formed themselves into Parties, and tho' in manner without Arms and Ammunition, yet by meer Resolution and Courage, they worsted several Parties of the Enemy, and almost naked, recovered Arms and Ammunition out of their Hands, and signalized themselves in many Engagements, by which they not only saved themselves, but likewise did considerable Service to the Protestants that were under the Power of King *James*: For this Handful of Men, by their frequent Incursions and carrying of Prisoners in every Engagement, terrified even the Papists of *Dublin* into better Humour, and more moderate Proceedings, as to the Lives of Protestants that lived amongst them, than perhaps they would otherwise have been inclined to: They saw from this, that their Game was not so sure as they imagined, and the Prisoners taken by those of *Enniskillin*, were Hostages for their Friends that lived in *Dublin*; and the Humanity with which the Prisoners were used there, was a reproach on the Barbarity exercised by the other Party. In short, it appeared that it

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was neither Malice nor Factionousness that engaged them in Arms, but meer Self-preservation and the Obligation of their Tenures and Plantations, by which they were bound to keep Arms, and Defend themselves and their Country from the power of the Popish Natives which were then Armed against them.

13. But to return to the Lord Deputy's Proceedings in his new Levies, in order to gain time and delude the Protestants, he sent for the Lord Mountjoy out of the North, after he had compounded the business of Derry, and persuaded him to go with Chief Baron Rice to King James into France, to represent to him the weakness of the Kingdom, and the necessity to yield to the Time, and wait a better opportunity to serve himself of his Irish Subjects. The Lord Tyrconnel swore most solemnly that he was in earnest in this Message; and that he knew the Court of France would oppose it with all their Power: For, said he, *that Court minds nothing but their own Interest, and they would not care if Ireland were sunk to the Pit of Hell, (they are his own Words) so they could give the Prince of Orange but three Months Diversion: But he added, If the King be persuaded to ruin his fastest Friends to do himself no Service, only to gratifie France, he is neither so Merciful nor so Wise as I believe him to be. If he recover England, Ireland will fall in course; but he can never expect to Conquer England by Ireland; if he attempts it, he ruins Ireland to do himself no kindness, but rather to exasperate England the more against him, and make his Restoration impossible: And he intimated, That if the King would not do it, he would look on his Refusal to be forced on him by those in whose Power he was, and that he would think himself obliged to do it without his Consent.*

14. Every body told the Lord Mountjoy, that this was all Sham and Trick, and that the design was only to amuse the Protestants, and get him, who was the likeliest Man to Head them, out of the way: But his Answer was, that his going into France could have no Influence

*James Mountjoy*

fluence on the Councils of *England*, who were neither privy nor parties to it; and if they had a mind to reduce the Kingdom, it was easie to do it without his Assistance; that he must either go on his Message, now the Deputy had put him upon it, or enter into an actual War against him, and against such as adhered to King *James's* Interest; that he did not think it safe to do the latter, having no order or encouragement from *England*; but on the contrary all the Advice he received from thence, was to be quiet and not to meddle; that he was obliged to King *James*, and neither Honour, Conscience, nor Gratitude would permit him in his present Circumstances to make a War on his own Authority against him, whilst there was any possibility of doing the business without one. Upon these considerations, against the general Opinion of all the Protestants in *Ireland*, he undertook the business, and went away from *Dublin* about the Tenth of *January*, 1688, having first had these general Concessions made him in behalf of the Protestants: 1. That no more Commissions should be given out, or new Men raised. 2. That no more of the Army should be sent into the North. 3. That none should be questioned for what was passed. And, 4. That no private House should be garrisoned or disturbed with Soldiers; these he sent about with a

Appendix.

Letter which will be found in the Appendix. But he was no sooner gone, but the Lord Deputy, according to his usual method of Falshood, denied these Concessions, seemed mighty angry at the dispersing the Letter, and refused to observe any of them. The first News we heard from *France* was, that the Lord *Mounjoy* was put into the *Bastile*, which further exasperated the Protestants against King *James*, and made them look on him as a Violater of Publick Faith to his Subjects. As for the Lord Deputy, this clearly ruined his Credit (if ever he had any) amongst them, and they could never after be brought to give the least belief

to what he said ; on the contrary they look'd on it as a sure sign that a thing was false, if he earnestly affirmed it.

15. But it was not yet in his power to master them ; he had not sufficiently Trained and exercised his Men, but as soon as he found that nothing was to be feared from *England* before the end of Summer, and that he was assured King *James* would be with him soon, he laid aside his Vizour, and fell upon disarming them : It was no difficult matter to do this ; for in the very beginning of King *James's* Reign, the Protestant Militia had been dissolved, and though they had bought their own Arms, yet they were required to bring them into the Stores, and they punctually obeyed the Order : Such of the Protestant Army as remained in the Kingdom after their Cashiering, were likewise without Arms, being (as I shewed before) both disarmed and stripped upon their being turned out. It was therefore a wonder that the Protestants had any Arms at all, especially when it is to be remembred, that during King *James's* Reign, they durst not be seen to buy or import them, being under the jealousy and suspicion of the Government : However some they had, enough to make the Papists afraid, and to Beat them too, if they had had a little Assistance and Encouragement of Authority to attempt it. The Lord Deputy was therefore resolved to have their Arms ; and in order to get them, he drew Nine or Ten Regiments to *Dublin*, and a proportional Party to every place where the number of Protestants was considerable ; and without the least Notice or Declaration premised, on the 24<sup>th</sup> of *February* 1688, he took away their Arms and Horses throughout the whole Kingdom, except in the North, where he durst not yet attempt it. The method of doing it in *Dublin* was this, he filled all the Streets and Lanes with Foot and Horse ; and then for so much of the City as lies within the Walls, he sent the City Officers to signify to every House, that if they did not send in every Sword and



and Bayonet, as well as Fire-Arms in their possession into the Churches, ( which were generally seized for this use, and filled with Soldiers, ) they should be left to the Mercy and Discretion of the Soldiers, both as to their Lives and Goods: This was perfect Dragooning to the Protestants; nor is it easie to express what a Consternation it caused amongst them; the Preparation at first looked like a Design to put in Execution (what they long feared,) a general Massacre, and which had never been out of their Minds since the Lord Mount Alexander's Letter was dispersed. While they had their Arms in their Hands, it gave them some Heart, resolving to sell their Lives dear; but when they saw these now taken from them, this Support failed, and they had no prospect of Defence, but generally imagined that their Arms were taken away in order to the more easie Execution of the designed Massacre. They knew themselves to be the only Persons qualified by Law to keep or carry Arms; they knew the malicious Designs of the *Irish* against them; they considered how necessary their Arms were at this time, not only to preserve their Goods, which were every day robb'd, and their Houses that were every Night broken open, but likewise to secure their Persons, that were daily assaulted; and yet to avoid this terrible Dragooning, they were forced to part with them, and immediately delivered in near 3000 Fire-Arms, besides Swords, Bayonets and Pikes, in *Dublin* only. At the same time some Hundreds of Horses were likewise taken, without any other Reason than that they belonged to Protestants. Without the Walls it was much worse than in the City; the Inhabitants there were not so much as required to bring in their Arms, but generally the Soldiers came and searched for them, on pretence of which, five or six Parties after one another, without Method or Order, rifled the Houses: In many places they pull'd up the Boards of the Floors, brake down the Wainscots, Stealing and Plundering whatever they could lay their Hands on, and



and sometimes Torturing the poor People to make them confess their Arms.

16. The next day after this disorderly Dragooning, came out a Proclamation dated *February 25, 1688*, signifying, that this disarming and taking away Horses, was done by Order of the Government throughout all *Ireland*, there being only a Verbal Order for it before, of which the Protestants knew nothing, and which the Proclamation contradicted; for Wearing-Swords were excepted in it, whereas the Verbal Order mentioned them, and they were delivered with great exactness before the Proclamation came out; for no body could hope to conceal them, it being known that every Gentleman had a Wearing-Sword, yet none were re-delivered to them though demanded; and a second Proclamation published by King *James* himself, dated *July 20, 1689*, did expressly forbid all Protestants to wear or keep any Swords, under the penalty of being counted Rebels and Traytors, and used as such; and lest some should wear them and not be discovered, they beset all the Church-Doors on Sunday Morning, *February* the 23, 1689, whilst the Protestants were at their Devotion, to their great Terror, being ignorant of the Design; and the Soldiers searched every one whether he had a Sword or no.

17. But to return to the general disarming, though the Protestants lost in it their Horses and Arms, the Kings Stores gained little by them; for the Soldiers who received the Arms, imbezell'd all that were better than ordinary amongst them, conveying them away privately, and converting them to their own use. The Arms of the Citizens were generally fine, and the Gentlemen's Swords were Silver, and the Soldiers that got them were wiser than to return such to the Stores. The Lord Deputy seemed angry that so few Arms were returned, imputed it to the Citizens as an effect of their Obstinacy; and an Order was ready drawn for him to Sign, wherein it was declared, That all Protestants  
with

with whom any Arms were found, should be given up to the Mercy of the Soldiers; so that there needed only some ill Fellows to come into a House and drop a Bayonet or Sword in a Corner, and pretend to find it there, for the Soldiers to have rifled whom they pleased; besides which, all Protestants were to be required upon Oath to discover their Arms. This Order had been signed and put in Execution, if the Bishop of *Meath* had not come in seasonably to the Lord Deputy, and by discoursing him calmly, prevailed to have it laid aside: The Reasons and Proposals that he made use of to divert this Inconveniency from

*See Appendix, N. 15.* the City, may be seen in the *Appendix*; by them he got leave to en-

quire into the number of Arms taken away; and found upon Examination, that more had been taken from one Parish, than had been returned into the Store from the whole City. The talk of putting the Citizens to their Oaths on this occasion did mightily alarm them; they knew not where it would end, if once the Government got into the Method of imposing Oaths on them; and therefore the Bishop took care to caution them against it, and they unanimously determined to take no Oaths at all, whatever hardship they suffer'd; and it is certain, they might have eased themselves of many, if they would have engaged themselves by Oaths; but the Remedy was counted worse than the Disease; and in many places of the Kingdom they chose to lye in Gaol, rather than take some new invented Oath, that was put to them without any Law to enjoin it.

18. The management of taking up Horses was yet more disorderly; whoever pleased took them, and was not so much as obliged to tell his Name; the Proclamation mentioned only Serviceable Horses, but the Verbal Order that went before, and on which they were taken, made no distinction; so all were taken that could be found: At the best, it was left to the discretion of a Dragoon, what he would count a Serviceable

viceable Horse, and what he would do with them when he had taken them; so that of 10000 Horses at least that were taken from the Protestants at that time, the King received not a 100, nor had he one Troop raised out of them, but whoever could get a Horse, whether he were Officer or Soldier, from a Protestant, went away with it, and converted it to his private use; of which the Lord Deputy complains in a Proclamation, dated *March* the 1<sup>st</sup>. 1688; but this Proclamation tho' dated the 1<sup>st</sup> of *March*, was not published till the 12<sup>th</sup>; the reason of the delay was this, the Proclamation order'd Horses that were not fit for Service to be restored, and if it had come out according to the date thereof, many Protestants that knew in whose Hands their Horses were, would have claimed them: To defeat them therefore, some that had interest with the Deputy, got the Proclamation delayed till those that took them might have time to convey them far enough from being found. And this was their usual Method, they first did the mischief they intended to the Protestants, and then they published some antedated Proclamation, forbidding it to be done; and sometimes when a Proclamation came out, before they had gone through with what they intended, they denied to be concluded by it, alledging it came out surreptitiously; as it happened in this very case of Searching for Arms,

19. Now Arms are the Hedges that secure and preserve our Goods and Lives, especially in a Conquered Country, such as *Ireland* is; and it was but reason that the Law did allow none but Protestants to have them; tho' they never hindred any Man from arming himself so far as was necessary for his own Defence: When therefore they saw the keeping of Arms was made penal to them in the highest degree, (King *James's* Proclamation having made it Treason and Rebellion, as I shewed before,) and some would needs perswade them it was really so, to which opinion the Lord Chief Justice inclined, when he gave charge to the Jury concerning

one *Wolf*, who was indicted for keeping some Arms, and fined for it as a Misdemeanor,) when I say, they saw that which the Law required them to do, made so highly criminal, (for the Law requires every Free-man of *Dublin* to keep Arms,) and those Arms put into the Hands of Tories and Russians, who had already robbed them of a great part of their Substance, had they not reason to believe that they were disarm'd purposely, that they might be the more easily Robb'd or Massacred? and that it was as easie for a Government, that in one day disarm'd them through the whole Kingdom, against Reason, Law and Justice, to find a Pretence at another time to take away their Lives? they could neither doubt their Inclinations, nor question their Ability to do it. If one should tye a Mans Hands, and turn him naked amongst Wild Beasts, all the World would believe he designed they should devour him; and sure we had reason to suppose the same of our Governors; and they that treated us thus without Provocation, and against the Laws, could not expect that we should be unwilling to change our Masters if a fair Opportunity offered. By the Law we have as much property in our Arms and Horses that we buy with our Money, and in a conquered Country, such as *Ireland* is, where every Forty years we have constantly had a Rebellion, they are so necessary for us as our Cloaths or Estates, which indeed can signifie nothing without them. And the King might as justly pretend that he had occasion for them, and take them from us without Consideration, as our Horses and Arms; the Oppression to us in our Circumstances was really equal.

20. It may perhaps be imagined by those who are Strangers to our Affairs, that we had abused our Arms to oppress and wrong our Neighbours, or to oppose the King, and therefore deserv'd to lose them; but it is observable, that it doth not appear that any one Protestant in *Ireland* before this Disarming, had used his Arms to injure any R. C. nor did they hurt any that was

was not either actually robbing them of their Goods, or assaulting their Persons, no not in the North, where they refused to give up their Arms; they kept even there on the defensive, and offended no Man but when first Assaulted: So that there was not the least reason or colour to disarm us, except that we might be Plundered and Robb'd, without being able to make resistance. Our Crime for which we lost our Arms, for which we were exposed naked to our Enemies, and for which the best Gentlemen in the Kingdom were obliged to walk without a Sword, was because they suspected that we would not otherwise tamely part with our Goods, or suffer our selves to be abused and affronted in the Streets by every Russian, which was the Condition of the best amongst us.

21. 'Tis true, King *James* could not carry on a War for the advancement of Popery, without our Goods, and he could not be secure of them whilst we had Arms; but I hope all the World is convinced, that it was not our Counsels nor Actings that brought him to these straits; nor was it to be expected that we should be content to be undone, to repair the Errors and Faults of those wicked Counsellors, who put him on those desperate Courses which lost him his Crown. All our Crime is then, that we could not be content to be undone with and by him, and rather chose to desire Protection, Liberty, and the Restitution of our Priviledges, and Arms from their present Majesties, than to be in the condition of the vilest of Slaves under King *James*; a Crime for which I am confident no Papist condemns us in his Conscience, however he may rail at and call us disloyal.

## S E C T. IX.

*The Attempts made on the personal Estates of Protestants, before the Revolution in England.*

1. **T**HE Earl of Tyrconnel, when made Deputy of Ireland, found the Riches of the Kingdom in the Hands of Protestants; the Flocks, the Herds, the rich Household-Stuff and Plate, Beneficial Leases, improved Rents, Trade and Money, were almost intirely theirs; whereas the Papists by their Idleness, Ignorance, and numerous Begging Clergy, were so low in their Fortunes, that they were in no condition to raise or maintain such an Army, as was necessary to carry on his Designs in this Kingdom; and he was sure the Protestants that had the Riches, would not contribute to support them. He therefore applied himself with all Art and Industry to impoverish them. He did what he could, as I have already shewed, to destroy their Trade; he put all the Hardships imaginable on Protestant Tenants, that they might not be able to pay their Rents, and he encouraged the Popish Tenants to oppose their Landlords: It was whispered amongst them, that they need not pay their Rents, for the Land in a little time would be their own; they were taught to answer when their Rents were demanded, That they had spent what they designed for their Landlords, to fit themselves or their Sons for the King's Service; and he was sure to be represented as disaffected, that did not sit down with this Answer. If any Landlord was so hard as to Sue them, they either got themselves enlisted in the Army, or got a particular Protection against Arrests. If any distrained, they let their Cattle be taken to the Pound, and then by Night they either stole or forced them from thence; and when they had thus secretly recovered and conveyed them away, they brought Actions against the Landlord that distrained, as if he had imbezelled them.

them; in which case they were sure to meet with Favour and Countenance in the Courts. Sometimes they avoided paying Rents, by Swearing their Protestant Landlords into a Plot, or by affixing Treasonable Words on them; insomuch that hardly any Protestant durst distrain, or even demand his Rent: And for Two years before the Revolution in *England*, very few received any Profit out of their Estates. This stop of Receipts for so long time, obliged Gentlemen to live upon the main Stock, and for want of their growing Rents, which should have answered their Expences, they were as low as possible in ready Mony, when the late Troubles fell upon them; and this made many of them on their Flight to *England*, need Charity for their Subsistence.

2. This Hardship was the more heavy upon them, by the necessity they lay under of leaving their Farms and settled manner of Living in the Country, and of either repairing to *Dublin*, or removing into *England*, where nothing could be useful to them but ready Mony; yet this was unavoidable, for there was no living for them amongst a People that made no Conscience to pilfer or rob them of their Goods, or to lay Snares for their Lives by false Oaths and suborned Evidence: Neither did their repairing to Cities and Towns protect them, but the same Persons that drove them from their Country Houses by their Robberies and Oppressions, did afterwards indict and imprison them for leaving *Appendix*, N. 8. them, of which I have given an Example in the Appendix. Some indeed notwithstanding all the hard usage they met with, ventured to stay on their Concerns in the Country; but were at last burnt out of their Houses, and forced to follow their Neighbours. A House within Four Miles of *Dublin* was Burnt, and several Women and Children Murdered in it at the very beginning of Modelling the Army. Thus Mr. *Thomas Corker's* House in the County of *Meath* by *Navan* was Burnt, as supposed, by



the Popish Parish-Priest; who after he had done this injury to the Gentleman, gave out that Mr. *Corker* had Burnt his own House, to make the Roman Catholics Odious. Mr. *Henry Gones*, a Ministers House in *Connaught*, was likewise Burnt, because they could not otherwise prevail with him to leave the Country: And many others were served in the same way, and their Families Murder'd; or else were put to a vast Charge to guard their Houses against these Cut-throats and Robbers. Even about *Dublin* hardly any Gentleman's House escaped without being Robbed, or at least several times attempted; and if any were caught in the Fact, they easily got a Pardon for it.

**W**hereas a late Proclamation issued forth by the Lord Lieutenant and Council of this Kingdom in *December* last for the suppressing of Tories, Robbers, and their Harbourners in these Words following; *Whereas there have been of late many Burglaries and Robberies committed in several parts of this Kingdom, to the ruin of some of their Majesties good Subjects, and to the great disquiet of many others; and it is found by Experience, that his Majesty's Mercy that hath been heretofore extended to some Persons that have been attainted of such Crimes, hath been an Encouragement to others to commit the like, &c. Which Proclamation hath not yet met with the full effect, &c.*

3. Add to this in the Third Place, that tho' of a good while the Protestants got nothing out of their Estates; yet they were put to vast Charges to defend them: For the Papists having gotten Judges, Juries and Sheriffs of their own, brought in their Counterfeit Deeds and false Claims in great numbers, and either in *forma Pauperum*, or by favour of the Courts, carried on their Suits with little Expences; and when worsted in them, as sometimes in spite of the most manifest partiality they were, there was nothing to be recovered of them; whereas the Protestants were forced to row against the Stream, and to struggle with all the expensive delays and tricks the Courts could put on them. If at any

time

time they were found tardy in the least Circumstance or Form of Law, tho' no advantage used formerly to be made of such Mistakes, yet they were sure to pay severely for it ; every body who has been concerned in Law business, knows the difference of these cases as to expences ; and the Consequence was , that Protestants were forced to depart with a considerable share of their ready Mony, to recover or defend their Estates, which when in their Possession yielded them nothing.

4. They met with the same measure from the Treasury, as from their Tenants ; where any Salary , Pension or Payment was due to any of them from the King, they either did not get it at all, or if by Importunity and Interest they did get any thing, it was with such Expences, Bribes to Courtiers, and Delays, that they lost the benefit of it. But where any thing was due from them, it was exacted with all the rigour imaginable, and the most strict Punctilio's observed to bring them under Fines and Forfeitures. The Chief Baron Rice could not contain himself on the Bench ; but on occasion of a Protestant Lawyers pressing somewhat importunately for his Client that he might have Justice, he answered he should have Justice, but as I said before, that it should be *Summum Jus*. Nay, such Discouragement and Discountenance was given to the Protestant Lawyers, that many of the most celebrated Counsellors forsook their Practice and the Kingdom ; and such as staid could hardly come in for a share of the Fees expended by their former Protestant Clients ; for it was enough to destroy a Cause, to have them appear at the Bar for it. The Consequence of which was, that the Protestants were forced to employ their Enemies for Counsel, and give them their Mony too often to betray the Cause ; at least they could not expect Lawyers that wished so ill to it and them in their Hearts, would be earnest to carry it for them.

5. In Cities and Corporate Towns, the Townsmen were put to great Charges to defend their Charters; and when Judgment was given against them, they were put to another Charge to take them out anew, and to purchase their Freedoms. It is true, some few Papists generally joyned to take out the new Charter; but when it was taken out, they forced the Protestants to pay for it what rate they pleased, or obliged them to leave the Town. The Attorney General got some Thousands for his share, and every petty Officer and Head of a Country Burrough, enrich'd himself with some part of the Protestants spoil on this account.

6. The next means used to Impoverish them was that of Free Quarters; by which they extorted from the Inn-keepers vast Sums of Money: It was a hardship in times of Peace, to be obliged to entertain such rude nasty Guests as the private Soldiers generally were, and to endure the Insolencies of their Officers, who practised several Arts with a design to destroy their Quarters. Sometimes they would quarter a whole Troop of Horse on two or three Protestant Inns for some Months together, till they wearied them out of their Trade, drove away their Guests, and broke them: Sometimes they would compound for a Sum of Money to be gone, and then immediately send another Party as bad as themselves, to succeed them; by which means they ruined all the little Towns about *Dublin*, and broke the Inhabitants. The very first thing they did after they had got into the Army, was to set a rate on Diet, on Hay and on Oats, not above one third of what it cost the Inn-keeper; a thing to which they had been Strangers before; but it seemed tolerable, in respect of the Free-Quarters to which they pretended afterwards, tho' in effect it came to the same thing, for they went away and never paid a Farthing for Meat or Drink, or any other Conveniencies allowed them in their Quarters; only some gave Bills which were never paid; nay, they were not content to have their Meat

Meat and Drink and Quarters free, but they so ordered the matter, that their Quarters were generally better to them than their Pay: They commonly had Billers on three or four Houses apiece, every one of which paid them a certain rate *per Week*; one private Soldier bragg'd, that he had fifteen Quarters: The rate paid out of them was according to the quality of the House, and the Person that had the Billet, the very least was 18 *d.* or 12 *d.* *per Week*, and the Allowance to the Officers was proportional: The truth of this is notorious to all in *Dublin*, and is demonstrable from the number of Publick Houses which were obliged to quarter Men, compared with the number of Men quartered in them. The Houses were double in number to the Soldiers, and yet every House had one or two Soldiers at the least, some three some four quartered on them, for which they paid Weekly; and yet so unreasonable were these Creatures, that this would not satisfy them, but they would go up and down the Country stealing and plundering Meat and Drink, and forcing the poor Protestants to bring forth their whole stock of Provisions, of which they used to eat what they pleased, and then destroy the rest, that the *Damned Whigs*, (that is, in their constant Dialect, the Protestants) *might not have the benefit of it*: It was in vain to grumble or complain; instead of Remedy they were sure to have the Injury redoubled upon them. If any ventured to prosecute a notorious Robbery committed by a Soldier, their Officers appeared in the Court for them, and openly threatened the Jury, if they found them Guilty. Thus Colonel *Luttrel*, afterwards Governour of *Dublin*, appeared at *Kilmainham*, and brought off his Soldiers who were guilty of a Robbery, by threatening the Jury, and telling them, that it should *be worse for them if they found his Men guilty*; that *the King's Soldiers must not be discouraged, and must be allowed, when in want, to take from those that bad*, meaning the Protestants; and by his Authority he saved them, being not only an Officer, but one of the Justices

Justices of the Sessions. And in the very Council, *Albaville* publicly owned that the Protestants durst not complain, *except they had a mind to be Massacred*: I use his Words.

7. The Priests and Fryers were no less oppressive than the Soldiers; they multiplied in *Dublin* to three or four Hundred at the least; they were well Fed, and well Cloathed; there were not more Lusty Plump Fellows in the Town than they, insomuch that they were remarkable for it; and reckoning that they consumed but Twenty Pound apiece one with another, which was the least, they cost the Town eight Thousand Pounds *per Annum*; which is near Four times more than all the Protestant Clergy in Town received; they built about fourteen Chappels and Convents in *Dublin*, and set up two Nunneries, all which came to a great Sum; and a great part of it came out of the Protestants Pockets, for they were such experienced Beggars, that none escaped them, and so importunate that none durst refuse them; if any did, they must expect to be the next who were Robbed: They must be content to be Accused and Committed either on some secret Whisper, or false Accusation. The Insolency of the Fryers may be guessed at by their Carriage to the Lord Primate *Boyle*: Two of them, as I had before occasion to remark, came to demand Mony of him; and because he refused them, they procured a Warrant from Sir *Thomas Hacket*, to Commit his Son in Law and Nephew; but others were forced to buy their Peace by large Contribution to them.

## S E C T. X.

*The Progress King James made in destroying the Personal Estates of Protestants, after the Revolution in England.*

1. **T**HUS the Case stood with the Protestants of *Ireland*, long before the Revolution hapned in *England*: Their Rents and Receipts were stopt, their Expences multiplied, and many were driven from their Houses and Farms; their Trade decayed, and their Towns and Villages destroyed by Robberies and Free Quarters: But as soon as the new Levies, upon pretence of resisting the Prince of *Orange*, were made, the Mischief became much more universal and intolerable; whereas before, only Inns and Publick Houses, together with Brewers, Bakers, Butchers and Chandlers, were obliged to quarter Soldiers, this Burden was now extended to all Gentlemen of the best Quality, if Protestants, none being exempted: This hapned soon after the Lord *Mountjoy's* going to *France*, tho' the Lord Deputy, as I noted before, did positively engage to him to the contrary in his Articles; these new Guests committed all manner of Rudeness and Insolencies in their Quarters, and drove away as many of the Gentry and Citizens as could steal a Passage, or procure a License to be gone by Bribing the Secretary. Sir *William Domville*, a Gentleman of about Eighty years of Age, who had been Attorney-General near Thirty years, as has been said, had his House filled with them; they treated the Old Gentleman so rudely and barbarously, that all concluded it hastned his Death. Some Roman Catholics, that were not known to belong to the Army, would come to the Houses of Protestants, and agree with them for their best Rooms and suitable Attendance, and when they were to go away, and should have paid, instead of Money they would present a Biller, and then triumph in the Trick they had put upon

upon their Landlords. There are in *Dublin* above Seven Thousand Houses, and it was very rare that King *James* had Four Thousand of the Army in Town, and yet they order'd it so, that every House had more or less quarter'd upon it: Some Gentlemen had Ten, some Twenty, nay, some Thirty quarter'd on them; if there was no other Room, they turned the Master or Mistress of the Family out of their own Beds, and sent them both and their Lodgers to provide for themselves: Not only Soldiers were thus quarter'd, but likewise all Gentlemen, Priests, Fryars and some Noblemen that came with King *James* from *France*, together with their Servants and Retinue. All the Houses in Town were taken up with such Guests, who were often treacherous Spies on their Hosts, and reckoned themselves very kind, if they did not procure them to be clapt up by a false Information. The Story of one Gentleman is remarkable, Related to a good Family in *England* of his Name, as he pretended, which was *Brown*; he lodged at one Mr. *Brocks*, from whom he stole several things of value, and sold them: Mr. *Brock* found him out, but he thought to have prevented the Discovery by swearing Treason against him, which he did before Chief Justice *Nugent*; but the Justice of the Peace, who took the Examinations of the Theft, having gotten some of the things into his Custody, traced them so clearly to the Thief, that there was no denying it. The Gentleman upon this, to prevent further Prosecution, was forced to certify under his Hand, that he was perjured in what he had Sworn before the Lord Chief Justice. How heavy these things fell on the Citizens, may be conjectured from this; the Rents of the City were considerable, and many Gentlemens Estates consisted in them: But now they thought themselves happy, if their Tenants would stay in their Houses, and keep them in Repair, tho' they paid no Rents at all. In the best Inhabited places of the Town, where Houses about Two years before yielded Sixty Pounds



Pounds apiece, they were well contented if they could get Ten Pounds, or the Ground Rent; but it was a Chance if they got so much.

2. Thus Estates both in City and Country were rendered Fruitless to Protestants; but yet whilst the Cattle and the great Manufactories and Staple Commodities of the Kingdom were in their Hands; whilst they had the Wool, the Hides, the Tallow and Butter, which bring in all the Money which is in the Kingdom, all the former Arts would not have undone them, and therefore some means must be used to get their Stocks from them; it seemed not decent for the Government to seize on them, as they seized on our Horses and Arms; it was not thought fit to give a positive Order for doing it; the truth is, there was no need of it; it was sufficient to connive at the New raised Men, to have it effectually done; the Priests had made every Man that came to Mass, to get a Sken and Half-Pike at least, and they whispered to the People, that it was not for nothing that they were thus Armed. They assured them, That whatever Injury they did their Protestant Neighbours, would be forgiven them, only they advised them not to shed Blood. Sometimes they went along to see it effectually done; and sometimes they imposed it as a Penance on such as came to them for their Absolution, to rob some of their Protestant Neighbours: This may seem improbable, but we have had credible Informations of it, and it will not seem so unlikely, if we consider that the Priests often led them out to these Plunders, and stood by whilst they committed them; that all these Robbers were absolved by them, without restoring one Sheep; which could not be, if the Priests reckoned the taking and keeping them a Sin. And lastly, That some of the greatest of these Robberies were committed in *Lent*, when they do their Penances, and eat no Flesh; and therefore they could not be tempted at that time to Steal and Kill in order to eat: For in some places they killed whole Flocks, and left them dead on the place

place. These Robberies began in *November* 1688, and by the end of *March* next after, they left hardly one Protestant in *Ireland* a Cow or Sheep. *Ireland* has always been famous for its Pastures, and the Riches of it has always consisted in Cattle, of which many Gentlemen had vast Stocks; for a Man to have six, eight, or ten Thousand Sheep was very common; some had more, even to twenty Thousand: All these were gone in three Months, to the value of at least a Million of Money, which if rightly managed, would with the Cows and Bullocks, of which there were likewise great Herds, have furnished an Army of an hundred Thousand Men with Flesh enough for three years. Those who took them from the Protestants, destroyed them without consideration, they killed them by Fifties and Sixties, and threw them into Bog-pits; they took off their Skins, and left their Carcasses to rot, and made all the havock of them imaginable.

3. Nor was the Government at all displeased at this, but on the contrary, did plainly encourage them; no Complaints made against them were minded; none of them were punished or call'd to account for it; and there hapned two or three remarkable things that plainly discovered it to be their Design that the Protestants should lose all: For, First, when these Robberies began, some Protestants got together, overtook the Robbers, rescued the Prey from them, and killed some of them; this being done in two or three Places, they were frightned and quiet for some time; but the Lord Deputy saw that if this was suffered, his Design would not take, and therefore ordered our Arms to be seized: This was the true Motive of his taking away so suddenly the Arms of the Protestants. These Arms he put into the Hands of those very Robbers, whom the Protestants in the defence of their Cattle, had beaten and wounded, and whose Relations they had killed; who now knowing their Adversaries could make no further resistance, vowed Revenge, and perfected

fect'd what they had begun, not leaving them a Beast, and forcing them to flee for their Lives; and then they plunder'd their Houses as well as their Cattle, and left them nothing that could be found with them: Nay, so far did the Government Countenance them, that they had suffered those Men, who had thus defended their Cattle, to be Indicted, and Bills were found against them, who had killed some of those Robbers in the actual Fact of Robbing; to do which they are impowr'd, and ought to have been rewarded by a particular Statute of *Ireland*.

4. But, Secondly, it appears, That the Robbing of the Protestants was designed by the Government, from the Confession of Chief Justice *Nugent*, who boasted of it as a piece of Policy, and own'd that they could not have done their Work without it; and at the Assizes at *Cork*, publickly called such Robbers *Necessary Evils*, and from the beginning he took care not to discourage them. The fore-mention'd Proclamation, *February 21, 1686*, acknowledges, that the Robberies were occasioned by the carelessness and neglect of the Civil Magistrate.

And, Thirdly, That it was a meer Design to ruin the Protestants, is manifest from this, that as soon as their Stocks were gone, and those who took them began to rob their Papist Neighbours, the Government put a stop to it, and issued out a Commission to hang them, which accordingly was executed at *Wicklow*, and the *Naas*, and several other places; and that it might be effectually executed, they joyned some Protestants in it, which might as well have been done before; and there is no reason that it was not done, but because it would have prevented the ruin of the Protestants, as well as it now preserv'd the Papists. It is manifest what the Government design'd, when by a few Robberies committed on Papists, it was alarm'd, and issued out Commissions to hang the Robbers; yet could not be prevail'd with to take notice of the many Thousand  
Rob-

Robberies committed on the Protestants. For the Proof of this see *Albavill's* Instructions to the fore-mention'd Commissioners in the Appendix.

## S E C T. XI.

*The Methods by which King James compleated the Ruin of the Protestants Personal Fortunes.*

1. **T**HE Protestants, by the Deputies taking away their Horses, and the Army their Cattle, were put out of a possibility of living in the Country, or of making any thing of their Farms by Plowing or Grazing, and had saved nothing but their Household-Stuff and Money; only some of them, when they saw the Irish taking away their Cattle, slaughter'd part of them, Barrel'd them up, and sent them to *Dublin*, and other Towns; they preserved likewise their Hides and Tallow of the Year 1688, not having any vent for them; and the Merchants upon the same account were stor'd with such Commodities as used to be sent Yearly into *England*, or Foreign parts: And many of these went out of the Kingdom for their own Safety, and left their Goods in the Hands of their Servants or Friends. Their going away, tho' they had License for it, and those Licenses not expired, was made a pretence to Seize their Goods; and in *March* 1688, the Officers of the Army throughout the Kingdom, without any Law or Legal Authority, by Order from the Lord Deputy, Seized all Goods, Houses, Lands, &c. belonging to any who were out of the Kingdom; there was no other Reason given for this, but that it was the Deputy's pleasure it should be so: In *May* the Commissioners of the Revenue took it out of the Soldiers Hands; and that they might be the better able to go through with it, endeavour'd to procure from their pretended Parliament, an Act to confirm all they had done till that time,

Reviewed from M. George Walker

time, and further to empower them to examin Witnesses upon Oath concerning concealed Goods of Absentees: The Bill, as it was drawn by the Commons, added a Power to oblige every Body to discover upon Oath what they conceal'd, belonging to their absent Friends, and to Commit whom they pleased without Bail or Mainprize during pleasure, not excepting the Peers of the Realm; which made the House of Lords correct these Clauses, and several others in the Bill, upon the motion and earnest struggling of the Bishop of *Meath*; tho' the Commissioners did in a great Measure put the Act in Execution, as the Commons intended it; for wherever they expected any good of Absentees to be, they sent and seized all that was in the place, and then refused to restore any thing to the Owners, but upon Oath that it was their own proper Goods; the rest they supposed to belong to some Absentee, and made it lawful Prize: All such being by the Act vested in the King, tho' the Owners who were absent, without any Fault of their own, should have come back and claimed; by which Act all Protestants that had fled for their Refuge into *England*, or any other place, or were gone upon their lawful Occasions, to the number of many Thousands, were absolutely divested of all their Personal Fortunes, and cut off from all Claim to their Goods and Chattels whatever.

The Condition of those who staid behind, was very little better, so many Contrivances were set on foot to ruin them, and take away the little Goods that were yet left them, that they were as effectually destroy'd as their Neighbours that went for *England*: They knew that besides Goods, the Protestants had some ready Money and Plate; their chief aim was to come by them, and several ways were thought of to effect it; sometimes they were for setting up a Mint, and for forcing every Body to bring in on Oath to be coyned whatever Plate was in their Possession: Sometimes they were for

searching Houses, and seizing all they found; but these Methods were looked on as too violent, and not likely to succeed if they should put them in practice: They therefore deferr'd these for the present, and apply'd themselves to the following Courses, by which they got from us a great part of our Mony, Plate and Goods; and if our Deliverance had not been speedy, would infallibly have got the rest.

*First*, They would pretend for a Sum of Mony to procure License for a Ship to go off, and when they had gotten the Mony, and the People had Shipped themselves and their Effects, they then ordered the Ship to be unloaded again, and seized all the Mony and Plate they found, which had been privately conveyed on Shipboard, tho' not forfeited by any Law.

*Secondly*, They would take off the Embargo which was generally laid on Ships, and pretend they would suffer the Merchants to Trade: And as soon as they had got the Custom-Houses full of Goods, and receiv'd vast Rates for Custom, besides Bribes to the Officers that attended the Ships, they would put on the Embargo again, stop the Goods, and not return one Farthing.

*Thirdly*, They promised Licenses for *England* to all who would pay for them; and when they had gotten vast Sums from the Crowd that prest to get away, they would then stop the Ships, and make their Licenses useless: There was nothing to be done without a Bribe, at what rate may be imagined from this, that an ordinary Tide-Waiter, one *White* at *Rings-End*, was accounted to have gotten in Bribes, for conniving at Peoples going off, at least One Thousand Pounds in a few Months.

*Fourthly*, All Protestants that lived in the Country, were forced to take out Protections; these were sold at great Rates, and it was not sufficient to buy them once, they were often voided, either by new Orders, or the Change of Governours; and then they were obliged

to take them out anew : Some had Protections not only for their Goods, but likewise for some Arms and Horses, and renewed them five or six times, paying a good Rate for them every time ; and yet at last they lost all their Horses, Arms and Goods, as well as their Neighbours who had no Protections.

*Fifthly*, Where they learnt any Man had Mony, they seiz'd him, on some pretence or other ; and if they found the Mony, it was sufficient Evidence of his Guilt ; they sent him to Gaol, and converted the Mony to their own use ; at the worst, they knew it was only restoring it in Brass. Thus they serv'd Mr. *Heuston* in *Bridgstreet*, and Mr. *Gabriel King* in the County of *Roscommon*, who could never get any satisfaction for his Silver and Plate thus taken from him ; and the case was the same with many others.

*Sixthly*, In several places the Governours went into Mens Houses and Shops, and seiz'd what they found, without the formality of a Pretence, and took it away. *Cork* was used at this rate ; their Governour Monsieur *Boiseflot*, not failing in any Punctilio of his Country Dragooning ; and he is supposed to have sent off for *France* to the value of Thirty thousand Pounds in Mony, Leather, and other Commodities ; the Spoils of the Protestants in that rich Town.

*Seventhly*, The Parliament granted the King a Tax of Twenty thousand pound *per* Month for thirteen Months, which the Kingdom could hardly have paid, if it had been in its most Flourishing Condition ; but they knew it would fall most heavy on the Protestants, who must be forced to pay it out of their ready Mony, having lost their Stocks generally by Plundering, and deprived of their Rents and Incoms.

2. Because the Protestants in and about *Dublin* had saved some Hides, Tallow, Wool, &c. King *James* by pretence of his Prerogative Royal, laid a Tax of Twenty thousand Pounds *per* Month, for Three Months, on Chattels, because the Twenty thousand Pounds *per* Month



Month, granted by the Parliament, was only on Lands.

This way of Levying Mony did startle every Body; the pretended Parliament was then in being, and was Adjourned till *January 12, 1689*, which hapned to be about the very time when the King and his Council were upon this Project. Some in the Council oppos'd it, and pleaded the no necessity of using extraordinary ways of levying Mony, when the King might have it in the ordinary way; and further, that it would give advantage to his Enemies, and be an Argument of his affecting an Arbitrary Power: But he was very angry with those that oppos'd it, and told them, That they had made him believe it was a Branch of his Prerogative to Levy Mony, and *If he could not do it, he could do nothing.* Chancellor *Fitton* appear'd Zealously for it, and 'twas carried, that the Mony should be rais'd; but it being a new thing, they were at a loss how to go about it: At last they issued out a Proclamation, dated *February 4. 1689*, wherein it's ordered and declared, *That a Contribution of twenty Thousand Pounds per Month, for the space of three Months, ending the last day of January last past, shall be forthwith appointed, laid in and levied upon the Personal Estates of all sorts.* And the Applotment is order'd to be made by Commissioners to be nam'd by the King, *who were to proceed according to Instructions forthwith to be published by him.* *Albaville*, the Secretary of State, thought it sufficient to send Letters, signed only by himself; in which he named and instructed the Commissioners; but the Persons so named for *Dublin*, judg'd this Authority insufficient, and demur'd on the Execution till they had their Nomination and Instructions according to the Proclamation, from the King himself under the Great Seal. The King was heartily angry at them for this Demur, and was hardly prevailed on to issue a Commission under the Seal in the usual Forms, as judg'ing his Secretaries Letter a sufficient Warrant: But at last the Commission was issued, in which the Commissioners were named, and

and impowr'd to nominate Sub Commissioners for every Barony in their respective Counties, to make the Applotment; of which Sub Commissioners the High-Constable was to be one. The Commissioners of *Dublin*, and other Cities, were not yet satisfied; for their Counties had neither Baronies nor High-Constables, and therefore the Commission could not be duly executed in them: They therefore applied anew to the Lords of the Treasury for a more ample Commission, which put the Lords and Attorney-General in as great a Passion as the King was in before; and all the Answer return'd to the Commissioners was, That they should *go about their business without such frivolous scruples, or they should take a course with them.* The Commissioners being thus appointed, were most of them Papists; and the few Protestants that were named, declin'd acting as much as they durst; by which means the Papists had the applotting intirely in their own Hands, and never fail'd to lay the greatest Burden on their Protestant Neighbours, who, in effect, paid all Taxes that King *James* ever receiv'd in *Ireland*.

3. The Papists rais'd a Militia, and inasmuch as Protestants were not qualified to serve in it, by the Proclamation, which did not allow them to bear Arms, they were assess'd at a certain Rate for the Maintenance of the Militia, and sent to Prison if they refused to pay it. The Tax was as great as either of the former, amounting, in the small Parish of *St. Warburgs Dublin*, in which not above one half of the Protestant-dwellers were left, to 900 *l. per Annum*.

4. They pretended to make some small Ditches at the several Avenues of the Town, and for these likewise the Protestants must pay; and they tax'd them at what Rate they pleased, distraining or committing them to Gaol, if they refused to pay what was exacted, or wanted Money: Before they form'd this Militia business into a Tax, the Officers of the Militia went about Weekly for several Weeks, and demanded and

took what they pleased from every House with great Rigour, Committing those who disputed their Demands, which was, for the time it lasted, a heavy Burthen, and a prodigious Tax.

5. Towards the middle of Winter, 1689, their Forces were dispersed into their Winter-Quarters; very few being left in *Dublin*, it was most convenient to have such as remain'd in it quarter'd together; at least it was judg'd unsafe to have them dispersed in Protestant Houses; therefore they seiz'd on waste Houses, and filled them with the Soldiers; the rest they quarter'd in the Colledge. Nevertheless, that the Protestants might not escape Free, they obliged them to send in Beds to the Soldiers; but instead of Beds they took a Composition in Money, the rate was from twenty four Shillings to five Pounds for every House: This fell intirely on the Protestants, the Papists being conniv'd at, and the Conditions were not generally made good to them after they paid, for within two or three Months some had Soldiers quarter'd on them again; tho' while it lasted, it must be confessed it was a great Convenience and Ease, to be rid of such Guests at any rate.

6. All these Contrivances to get Money from Protestants, did indeed impoverish them; but by their Industry and Charity to one another,

'Twas an ancient Law of England, some say as Old as King *Alfred*, That no King should change his Money, nor impair, nor enhance, nor make any Money, but of Silver, without the Assent of the Lords and of the Commons. See *Power of Parliament asserted by Sir Robert Atkins*, pag. 17. And *Lord Cook's Exposition of Stat Artic. super Chart. cap. 20. 2 Inst. 577.*

they made a shift to subsist, and to keep something in reserve; but the Contrivance of making Brass Money pass instead of Silver, and at an equal Value with it, was an utter and unavoidable Ruin to them: It is true, the Coyning of Money is a Prerogative of the Crown, and the reason of its being so, is to prevent its being adulterated, the King's Honour and Interest being the Engagement and Security for the Coyn that bears his Impression. But

sure

sure the meaning was not, that he should give a value to what has no Value in it self; otherwise the Cautiousness of our Forefathers was ridiculous, who would not allow the King by his Prerogative, to raise Mony either by Loan or Subsidy from the Subject; since, if it be allowed, that he may set what Value he please upon Brass, he may have what he thinks fit from the Kingdom without troubling a Parliament: But King *James's* Council used not to stick at the Formalities of Law or Reason, and therefore vast quantities of Brass-Mony were coyned, and made Current by a Proclamation dated *June* 18. 1689, under severe Penalties. The Metal of which this Mony was made, was the worst kind of Brass; old Guns, and the Refuse of Metals were melted down to make it; Work-men rated it at Three-pence or a Groat a Pound, which being coyned into Six-pences, Shillings or Half-crowns, One pound weight made about Five pounds; and by another Proclamation dated 1690, the Half-crowns were called in, and being Stamp'd anew, were made to pass for Crowns; so that then 3 *d.* or 4 *d.* worth of Metal made 10 *l.* There was Coyned in all, from the first setting up of the Mint, to the Rout at the *Boyne*, being about twelve Months, 965375 *l.* In this Coyn King *James* paid all his Appointments, and all that received the King's Pay being generally Papists, they forced the Protestants to part with their Goods out of their Shops for this Mony, and to receive their Debts in it: But the Protestants having only good Silver or Gold, and Goods bought with these, when they wanted any thing from Papists, they were forc'd to part with their Gold and Silver, having no means of coming by the Brass Mony out of the King's Hands; so that the Loss by the Brass Mony did in a manner intirely fall upon the Protestants, being defrauded (for I can call it no better) of about 50000 *l.* per Month by this Stratagem, which must in a few Months utterly exhaust them, when the Papists had gotten most of their Saleable Goods from

their Protestant Neighbours, and yet great Quantities of Brass Mony remain'd in their Hands, they began to consider how many of them who had Estates, had engaged them to Protestants by Judgments, Statute Staples and Mortgages: This was all the Reserve of their Fortunes left the Protestants. And to take this likewise from them, they procured a Proclamation dated *February 4. 1689*, to make the Brass Mony current in all payments whatsoever, whereas at first Judgments, &c. were excepted: Thus they rid themselves of their Brass Mony, and put it on Protestants. The Chancellor *Fitzton* compelling the Trustees for Orphans and Widows, to receive their Mortgages, &c. in this Coyn, as well as others, tho' they pleaded that they knew not how to dispose of it, nor if they did know, could they legally receive it, or make use of it, being only Trustees. Sometimes it was pleaded, That by the Original Covenants they were to have a certain time of Warning, before they should be obliged to receive their Mony, tho' offered them in Silver: But all signified nothing, the Chancellor over-ruled all their Pleas, and placed the Brass Mony on them, not so much as allowing it to remain in the Court.

7. The Governour of *Dublin*, the Provost Martial, and their Deputies, assumed the same Power, and threatned to Hang all that refused the Brass Mony; of which we have had many Instances: One Mr. *Bennet* a Tanner owed Mony to one Alderman *Smish*, and to Mr. *Hugh Leeson* a Clergy-man; *Bennet* having some Goods taken from him, for which he was paid in Brass Mony, tender'd it to them; but upon a Civil Refusal he Complained to Governour *Lustrel*, who gave him two Warrants to the Provost-Martial to take them; he shewed them to Alderman *Smish*, who immediately complied and received his Mony: But *Lustrel* being informed of it, was angry that *Bennet* had compounded the business, and therefore directed the Provost to take him; by whom he was kept a Fortnight, and not released.

released till he paid 20*l.* Fees. *Leeson* was likewise taken and Committed with him.

One *Chapman* a Widow was used yet worse by the Provost-Martial's Deputy, one *Kerney*; a Petition was preferred against her by the Solicitor, of one who owed her 150*l.* by Bond, alledging falsely that she had refused to receive it in Brass: *Kerney* sent his Troopers for her at Ten of the Clock at Night; he told her with many Oaths and Execrations, That he would have her Burnt next Morning; that he had power to put to what Death he pleased, any that should refuse or undervalue the Brass Mony, and would exercise it on her. Her Debtor was present, and acknowledg'd that the Allegation in the Petition was false, that he had never tender'd the Mony; only sent to her House, and received answer that she was not at home, and that his Solicitor had wronged her in the Petition; yet the Deputy-Provost abated nothing of his Rigour, but made her be thrust into a dark Closet for that Night, without Bed or Candle: Her Solicitor offered any Security for her till next Morning; but he threatned to tye him Neck and Heels, send him to *Newgate*, and hang him next day at his own Door, for interceding for her. At Nine next Morning he sent a Messenger to her to prepare for Death, for he would have her Burnt immediately. She had often, whilst in Custody, profer'd to receive her Mony, and never before refused it; which some represented to him so effectually, that he at last consented to Release her, she paying 4*l.* Fees, and 10*s.* to her Adversaries Solicitor, that preferr'd the false Petition against her, and Signing an Acknowledgment to be entred upon Record, and a General Release: She demurr'd a little at the General Release, but the Provost renewing his Threats of Burning her, and Hanging her Solicitor, obliged her to perfect it.

But where Papists were Creditors, and Protestants Debtors, the Case was otherwise; of which Mr. *Rose* a Merchant is an Instance; he had received Five hundred

dred Pounds from some Roman Catholicks, for which he drew a Bill of Exchange into *England* on his Correspondent; the Seas being shut up, they sued for the Mony, tho' it was supposed on all hands to be paid in *England*: Whilst they went on with the Suit, the Brass Mony came into play, and then they would have withdrawn it; but Mr. *Rose* having great quantities of this Mony put on him for Goods taken away from him, persisted in it, the Declaration against him being filed; however the Judge kept him three Terms, taking occasion from the Sickness of the Attorney, or any other little matter, to Adjourn the Cause. At last, Mr. *Rose* brought the Mony and deposited it in Court, which the Judge called an Affront, and the receiving of it was demurr'd to, and there the Cause remain'd till the change of the Government, without any Determination.

8. By these means vast quantities of Brass Mony were lodged in the Hands of Protestants; and not knowing what else to do with it, they laid it out on the Staple Commodities of the Kingdom, such as Hides, Tallow, Wool, Corn, &c. these they bought up at any Rate, as supposing they might sometimes turn to account, whereas the Brass Mony could signifie nothing. The Papists were aware of it, and therefore put the King upon taking these again out of their Hands, which they contrived thus: They put out a Proclamation, by which they set a Rate upon Commodities, dated *February 28. 1689*; then the King declared he wanted certain quantities of these Goods, and that he would have them at the Proclamation Rates. The Lord Mayor first, then the Commissioners of the Revenue, and afterwards Sir *Thomas Hacket* and others, were employed to search for them and seize them. They first sent out Officers to take an Inventory of all they could find in the Hands of Protestants; some few escaped by giving good Bribes: The Searchers return'd an account of the following Quantities in *Dublin*, viz. 61105 Stones of Wool,



Wool, 7780 Hundred Weight of Tallow, 14687 Raw Hides, 18771 Tann'd Hides: What return was made from other places we could not learn; but we find when they came to seize, that the following parcels were actually taken up, *viz.*

	Wool, Stone,	Tallow, C.	Raw Hides,	Tann'd Hides. C. q
In Dublin—	10948 $\frac{1}{2}$ —	4230—	3237—	900—2
In the rest of the Kingdom }	121339—	12619—	19100—	1832—2
Total—	132287 $\frac{1}{2}$ —	16849—	22337—	2732—2

Computing 35 Stones to a Bag of Wool, 600 Weight to a Cask of Tallow, and four Tann'd Hides to an hundred Weight; which appears to be the proportions in *Dublin*, where both the Number and Weight is return'd.

Some Gentlemen had saved their Wool of the Year 1688, and had placed it in *Dublin* and the Port-Towns, designing to send it off as soon as the Seas were open; and it was all they had to begin the World with, their Estates being taken from them by Act of Parliament, and their Stocks and Household Goods by Robbers; but now this remainder of their Fortunes was taken from them by the King himself; and when they press'd the Commissioners of the Revenue, to know the reason why they were thus used, it was answered them by Sir *Patrick Trant*, that he would not give any reason to *Such Rogues*; but at last, when urged, he told them, It was because they were Protestants: Some, particularly Mr. *Piercy* the Merchant, being ask'd by Sir *Thomas Hacket*, whether he was willing to part with his Goods; answered very calmly, That he was not willing if he could help it. His saying so was reckoned a High Crime, and he was brought before Colonel *Luttrell*, Governour of *Dublin*, who put the same question to him, and upon his making the same answer, condemned him,

him, in his Passion, to be Hanged, for opposing the King's Will: He sent up and down for the Provo's to execute the Sentence, and Swore many Oaths that he would have it done immediately. Mr. Piercy continued under this Sentence for two Hours, during which time the Provo's could not be found, tho' diligent search was made for them; at last the Governour, wearied with waiting, and not able to find any to execute his Sentence, was, by some Intercession made to him, content to dismiss Mr. Piercy for that time. Some Protestants offered to Transport their Goods themselves into France, and bring back such things as the King needed; but this was refused them; and the design being to ruin them, such Goods as came to them from France were seiz'd on, and put into the hands of Papists, to be disposed of by them, and the right Owners not suffered so much as to oblige a Friend with a little Salt or a Rundlet of Brandy. Thus Mr. Bell, a Protestant Merchant, was served with a Ship that came to him from France; and without any Crime alledged against him, that he might think no more of Trading, he was confined in close Prison, and no Body allowed to speak to him. As to the Goods thus taken up, King James disposed of them to Mr. Labady and other Papists; so that this appeared to be a meer Contrivance to get the Goods out of the Protestants hands, and enrich the Papists; and not, as was pretended, to supply the King's Necessity.

9. Some Protestants had laid out their Brass Mony in Corn and Malt; of this Commodity Brewers, Maltsters and Bakers had good Quantities, and some private Persons laid in enough for themselves and Families, and perhaps a little to spare. Some likewise had provisions of Bisket, barrelled Beef and Bacon, not knowing how the Market might be furnish'd, after such Destruction of Provisions: There was a general Search made for all these, and they were, for the most part, taken away, or seized, for the King's use; it was Criminal

minal to have Barrell'd Beef or Bisket in a House, and Alderman *Giles Meigh* was clapt up in Prison for the Treason of having some hundred of Bisket: The like hapned to several others, they alledging, that such as had them, designed them for *Schonberg's* Army; we were at a loss what the meaning of taking away Corn from Protestant Farmers, House-keepers and Bakers should be, when there was no Scarcity in the Kingdom, and the Markets, if left open, were sufficient to furnish all; but Sir *Robert Parker*, and some others, blab'd it out in the Coffee-House, That they *designed to starve one half of the Protestants, and hang the other, and that it would never be well till this were done.* We were very sensible that they were in earnest, by the event; for no Protestant could get a bit of Bread, and hardly a drop of Drink in the whole City; Twenty or Thirty Soldiers stood constantly about every Bake-house, and would not suffer a Protestant to come nigh them; if they sent into the Country, and by Interest and a great Price, got a Barrel of Wheat from a Popish Farmer, it was seiz'd as it came to Town; and though there was plenty of all things, yet several Protestant Families could not get one Loaf of Bread, sometimes in a Week, sometimes in a Fortnight; there was a general Cry for Bread, and the Protestants could find no way to come by it, but by buying it from the Soldiers, who sold their Two-penny Loaves for a Shilling or eighteen Pence; it was confidently reported that the Popish Store-keepers, design'd to get all the Corn in the Kingdom into the King's Stores, and then to let the Protestants have none out but for Silver and Gold; which they did in good measure effect; and it is certain before Harvest, they would have starved many, and drained all.

10. Some few Protestants had, under shelter of a good natured Popish Landlord or Neighbour, preserved a few Sheep; as soon as these were Shorn, the Commissioners immediately seiz'd the Wool, and it

it was resolved to seize their Corn likewise, where they had any, as soon as it was cut and made up.

They found it a hard matter to get Copper or Brass to serve the Mint, there were on this account several Searches made in Town; and first the Braziers Shops were pillaged, and then the Citizens Kitchens of their Brass Pots, Skellerts, Boylers; and their Houses of other Brass Utensils, even to the Knockers of Doors; hardly one such was left in the whole City: Under the pretence of this they ordered their Emissaries to take a private Inventory of whatever they saw in the Possession of Protestants, of which they made their uses as they had occasion, and intended more if their Power had continued.

11. The Deputy-Mayor of *Dublin*, *Edmund Reily*, issued out an Order dated *Sept. 27. 1689.* for regulating the Rates of Provisions, Country Goods, and Manufactories, to be sold in the City of *Dublin*; in which he took care to set a very low rate on such Goods as were then most in the hands of Protestants; the Rate at which he ordered them to be sold, was not one half of what they generally yielded. When therefore any Papist had a mind to put off his Brass-Mony, he went to some Protestant Neighbour, whom he knew to have a quantity of these Goods, offered him the Mayor's Rate in Brass, and carried away the Goods by force. This was practised even by the Lady *Tyrconnel*, and several of their Grandees: But the case was otherwise with Papists, they sold at what Rate they pleased, not minding the Proclamation; of which Alderman *Reily*, who issued it, was an Instance: He had a quantity of Salt in his hands, and sold it at excessive Rates, above what he compelled Protestants to part with theirs; Complaint was made against him, and he was indicted at the *Tholsel*, which is the City Court, that very Term in which the Proclamation came out; upon the Traverse the Petty-Jury found him guilty, and the Court Fin'd him in an Hundred Pound, but all this was only a Blind,

for

for the Sheriffs set him at Liberty on his Parole after he was Committed to them: He brought his Writ of Error returnable into the Kings-Bench, but the Record was never remov'd nor the Fine levied. And the consequence was, that neither he nor any Papist took notice of the Order, and yet kept it in its full force against Protestants.

12. They saw therefore that it was resolved to leave them nothing that was easily to be found; for Sir *Thomas Hacket* had made a Proposal to seize Fether-Beds, and other Furniture of Houses; alledging, that they would be good Commodities in *France*; upon which the Protestants thought it the best way to exchange what Brass-Mony they had into Silver and Gold, and gave Two Pound Ten Shillings, Three Pound, Four Pound, and at last Five Pound for a Guiney; but even so 'twas thought too beneficial for them, and to stop it, they procured a Proclamation, dated *June 15. 1690.* whereby it is made Death to give above One Pound Eighteen Shillings for a Guiney, or for a *Louis d'Or* above one Pound ten Shillings, &c. The *Papists* needed not fear a Proclamation, or the Penalty of it; they had Interest enough to avoid it, and therefore still bought up Gold at what Rate they pleased; but if any Protestant had been found transgressing, he must have expected the utmost Severity.

13. And thus the case stood when His Majesty's Victory at the *Boyn* delivered us; and let any one judge whether we had reason to be pleased with the Success, and gratefully receive him, that came to restore to us not only our Goods and Fortunes, but the very Necessaries of Life; and what Obligations we could have of Fidelity or Allegiance to King *James*, who treated us plainly as Prisoners of War, and as Enemies, not Subjects, and by designing and endeavouring our Ruin, declared, in effect, he would govern us no longer; but more expressly at his going away, freely allowed us to shift for our selves; and advised those about him, both at the *Boyn* when he quitted the Field, and the next Morning in Council at the Castle of *Dublin*, to make the

the best Terms they could, and quietly submit to the Conqueror, who, he said, was a Merciful Prince.

## S E C T. XII.

*King James destroyed the Real, as well as the personal Estates of his Protestant Subjects in Ireland.*

I. **T**Here remains yet to be spoken of, a third part of the Property belonging to Protestants; I mean, their Real Estates, and care was effectually taken to divest them of these, as well as of their Personal Fortunes: Their Estates of Inheritance were either acquired before the year 1641, and were called *Old Interest*, or else since that time, and passed by the name of *New Interest*. The greater part of Estates belonging to Protestants were of this last sort, and they stood on this ground: The Papists of *Ireland* (as *Chap. II. Sect. 4.* I have noted before) had raised a most horrid Rebellion against the King, and barbarously Murthered some Hundred Thousands of Protestants in Cold Blood in 1641, for which most of their Gentry were Indicted and Outlawed by due course of Law, and consequently their Estates forfeited. The *English*, after a War of twelve years, reduced them with vast expence of Blood and Treasure; and according to an Act of Parliament pass'd 17 *Car. I.* at *Westminster*, the Forfeited Estates were to be disposed of. When King *Charles II.* was restored, he restored many of the Papists, and after two years Deliberation, and the full hearing of all Parties before himself and the Council in *England*, he pass'd an Act in a Parliament held at *Dublin*, commonly call'd, *The Act of Settlement*, whereby a general Settlement was made of the Kingdom, and Commissioners appointed to hear and determine every Man's Claim. After this, upon some Doubts that arose, another Act pass'd 17 *Car. II.* commonly call'd, *The Act of Explanation*; which made a further and final Settlement: Every Protestant made his Claim

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before the Commissioners of Claims, and was forced to prosecute it at vast Expences: After this, he got a Certificate from those Commissioners, of what appear'd to belong to him for Arrears or Debentures; and having retrenched a Third of what was actually set out to him, and in his possession, and paid One years full improv'd value of what remain'd, every Man paid a Patent for it, a certain considerable yearly Rent, called Quit-rent, being reserved to the King out of every Acre; these two Acts of Parliament at *Dublin*, with that and other Acts at *Westminster*, together with a Certificate from the Court of Claims, and Letters Patents from the King, pursuant to the Certificate from the Commissioners, made up the Title which two Thirds of the Protestants in *Ireland* had to their Estates. Those Papists that had forfeited in 1641. were commonly known by the Name of *Old Proprietors*, who notwithstanding their Outlawries and Forfeitures, and the Acts of Parliament that were against them, still kept up a kind of Claim to their forfeited Estates; they were still suggesting new Scruples and Doubts; and either disturbing the Protestant Possessors with Suits, in which by Letters from Court they obtained Favour from some of the Judges, or else threatening them with an after-reckoning. The Protestants earnestly desired a New Parliament, which might settle things beyond any Doubt, and cut the Papists off from their Hopes and Expectations; but King *James*, when Duke of *York*, had so great Interest with his Brother King *Charles II.* that he kept off a Parliament against all the Solicitations that could be made for it for Twenty four years, to the no small Damage of the Kingdom, on other accounts as well as this; and he so encouraged those Forfeiting Proprietors, and so kept them in Heart by countenancing them, that they did not doubt some time or other to recover their Estates; and they often told the *English*, when heated by Drink or Passion, That the Time was drawing near, when they would out them of their Estates and Im-



provements, and send them to Dig or Beg. This Hope kept the *Irish* Idle, and hindred them from applying themselves to any thing else; and they were so sure of regaining their forfeited Estates, that they disposed of them by Wills and Settlements, as if in Possession; which Wills and Settlements made by them whilst out of Possession, are confirmed by a particular Act made in their late pretended Parliament.

2. When King *James* came to the Crown, they reckoned they had gained their point, and did not fail to labour it with all possible Industry; and no doubt but his Majesty designed to gratifie them in it, but he did not think fit to let the Protestants know his Intentions; on the contrary, he industriously concealed them: He sent over the Lord *Clarendon* Lord Lieutenant in the Year 1685, who arrived here *January* 10. he gave him in Charge to declare, That he would preserve the Acts of Settlement and Explanation inviolable: And accordingly the Lord *Clarendon* made this Declaration in Council, and further gave it in Charge to all the Judges, who solemnly declared on the Bench in their respective Circuits, the Kings firm Intentions to preserve those Acts, and in them the Protestant *English* Interest of *Ireland*. At the same time Sir *Charles Porter* was sent over Chancellor of *Ireland*; and he likewise had a Command from the King, to assure all his Subjects, that he would preserve these Acts as the *Magna Charta* of *Ireland*; and Sir *Charles*, at his entrance on his Office, declared this solemnly on the Bench, (as Chancellor *Fiston* also after did; and used withal, to term it, *The Darling of the Nation*) and that it was the King's pleasure to give his Subjects this Assurance: These kind of Declarations were often repeated, and gained Belief from the credulous Protestants, especially that made by Sir *Charles*, who behaving himself with Courage and Integrity in his Office, went a great way to persuade them: But the Papists were nothing daunted at it, they knew that this was only a piece of Policy to lull us asleep, till the Army was modelled

delled, and things fitted for repealing these Acts, and then all the protestations to the contrary would signify nothing. The new Attorney General *Nagle*, was the first that durst openly propose the Repealing of them, in his Letter from *Coventry*, dated *October 26. 1686.* in which he endeavours to shew some Nullities and Invalidities in the Acts; but mainly insists on the Inconveniency it would bring to the Popish Interest, to have those Acts continued. When the Earl of *Tyrconnel* came to the Government, things were Riper, and so King *James* ventured to discover his Intentions a little further; and therefore in the first Proclamation issued out by the Lord Deputy *Tyrconnel*, and dated *Feb. 21. 1686;* he promised to defend the Laws, Liberties and established Religion; but upon debate at the Council-Board, leaves out the preservation of the Acts of Settlement and Explanation. In Spring 1688. he sends over to *England* Chief Justice *Nugent* and Baron *Rice*, to concert the Methods of Repealing it. That this was their Errand was publickly known, and is confessed by my Lord *Sunderland* in his Letter to his Friend in *London*, dated *March 23. 1689.* and if we believe him, they bid 40000 *l.* to gain his Lordship to assist them; but whatever his Lordship did with them, it is certain they succeeded in their Design (tho' perhaps a little delay'd in point of time) and agreed on the several Steps, by which they were to bring it to pass; they knew it was generally discourst that they went on this Errand, and it would have alarmed the whole Kingdom if they had owned their Success; they therefore dissembled it, and contrived to have it given out, that the King had rejected their Proposals, but granted others that were very Beneficial to the Kingdom, the Heads of which they took care to have published. In the mean while they fell on prosecuting their Design according to the secret Resolutions agreed on, and began immediately to put things in order to have a Parliament that would be sure to answer their Intentions; they proceed to

finish the Regulations of Corporations, against which *Quo Warranto's* had before been issued, as we have already shewed; and that things might not stick in the House of Lords, by reason of the numerousness of the Protestant Peers and Bishops, a List was drawn up of such Papists as the King might by Writ call into the House to Out-vote them: The Sons of such Lords as had been Indicted and Outlawed for the Rebellion in 1641. had brought Writs of Error to reverse their Father's Outlawries, which made them incapable of Sitting; which was in effect to destroy the Act of Settlement that was found on those Outlawries. The Protestants saw the consequence of the Reversing them, and therefore earnestly opposed it; but Lord Chief Justice *Nugent*, and his Fellow-Judges over-ruled all Oppositions that could be made, and reversed as many as desired it: Some of them, when they had reversed the Outlawries, ask'd the Attorney General whether they might not now Sue for their Estates? He answered, that they should have a *little patience*, *perhaps they would come more easily*; meaning, that when a Parliament sat, it would (by repealing the Act of Settlement) give them their Estates without a Suit.

3. But many had not patience to wait the General Restitution; and therefore as soon as they had Judges and Sheriffs to their mind, they set up Counterfeit Deeds, and easily obtained Verdicts; if the Protestants brought a Writ of Error, yet that did not benefit them, nor stop their being outed of possession, for the Sheriffs, on their own Heads, gave the Old Proprietors possession, and left the Protestants to recover it, by Injunction out of Chancery, or by Common-Law. Thus Doctor *Gorge* was outed by Mr. *Barnwell* of a great Estate, and many others, notwithstanding their Writs of Error. Some Old Proprietors had gotten some Conditional Orders from the Commissioners of the Court of Claims, for Estates; many of which only enabled them to bring their Actions at Common Law. These had lain dor-

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mant since the sitting of the Court of Claims, which was above Twenty years; but now instead of bringing their Actions into the Court, they carried their Old Injunctions which they had procured from the Court of Claims, and which they thought not fit in all this time to execute, as knowing legally they could not; yet, I say, so long after the Dissolution of the Court which granted them, they carried them to the Sheriffs, and they, without any more ado, put them into possession; whereby they deprived the Subject of the Benefit of those Laws that make Fines, levied with Non-claim, a perpetual Bar; and also dispos'd and put by, all intermediate Purchases and Settlements. This was the Bishop of *Meath's* Case, whose Father purchased an Estate in 1636, and both he and the Bishop had continued in peaceable Possession of it ever since; yet he was now outed of it, by an Old Injunction from the Court of Claims, granted on a pretended Deed of Settlement, made for Portions to the Daughters of the Man that had sold it to the Bishop's Father: This Deed ought to have been proved at Common Law, before he should have been disturbed; but the Popish Sheriff of the County of *Meath*, one *Nangle*, executed the Injunction on the Bishop, and two other Protestants, without any such Formality; some Papists were as deeply concerned as they, as holding part of the same Estate; but the Sheriff durst not, or would not execute the Injunction on their part, tho' he did it on that part which was in the Hands of Protestants; at this rate many Protestants were outed of their Estates, and the Old Proprietors having gotten possession, put the Suit and proof on Protestants to recover them; near an hundred *English* Gentlemen lost considerable Estates in less than a Year, and the Papists were in hopes to do their work by their False Oaths, Forged Deeds, Corrupt Judges, and Partial Juries: No one Suit that I could learn, having been determined against them in either the King's-Bench or Exchequer.

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4. But this was not the way design'd by the Grandees; they saw it was like to be Tedious, Expensive, and must have been in many cases, Insuccesful; and therefore they were intent on a Parliament; and they had in less than nine Months fitted all things for it: So that we should infallibly have had one next Winter, if the Clofeted Parliament, design'd to sit at *Westminster* in *November* 1688. had succeeded, and the News of the Prince of *Orange's* intended Descent into *England*, had not diverted them; but it was not judg'd convenient to proceed farther in *Ireland*, till the Penal Laws and Tests were removed in *England*.

5. After King *James's* deserting *England*, and getting into *France*, which mightily rejoyced them, their great Care was to get him into their own Hands; and they easily prevail'd on him to come into *Ireland*, where he landed at *Kinsale*, *March* 12. 1688, and made his entry into *Dublin* on *Palm-Sunday*, *March* 24. Upon his coming into *Dublin*, every Body was intent to see what he would do, in relation to the Affairs of *Ireland*; it was manifestly against his Interest to call a Parliament, and much more unreasonable to pass such Acts in it, as he knew the Papists expected.

For, *First*, The Kingdom was not intirely in Obedience to him, *London-derry*, *Enniskillin*, and a great part of the North being then unreduced; which gave occasion to many, even of his own Party, to ridicule him and his Councils, who, so contrary to his Interest, had call'd a Parliament to spend their time in wrangling about Serling the Kingdom, and disposing Estates, before they had reduced it. But had they, instead of passing such Acts as made them odious to all Good Men, applied themselves to the Siege of *Derry*, it is like it had been reduced before the Succours came, and then all *Ireland* had been their own, and no body can tell what might have been the Consequence of it.

6. Secondly,

6. Secondly, It a little reflected on King James's Sincerity, who in his Answer to the Petition of the Lords for a Parliament in *England* presented Nov. 17. 1688, gave it as one Reason why he could not comply, because it was impossible, whilst part of the Kingdom was in the Enemies Hands, to have a Free-Parliament: The same Impossibility lay on him against holding a Parliament in *Ireland*, at his coming to *Dublin*, if that had been the true Reason; and his not acting uniformly to it, plainly discover'd, That the true Reason why he would not hold a Parliament in *England*, and yet held one in *Ireland*, under the same Circumstances, was not the pretended Impossibility, but because the *English* Parliament would have secured the Liberties and Religion of the Kingdom, whereas he was sure the *Irish* Parliament would subvert them.

How is it possible a Parliament should be Free in all its Circumstances, whilst an Enemy is in the Kingdom?

7. Thirdly, His Compliance with all the most Extravagant Proposals of the Papists in *Ireland*, was unavoidable if he called a Parliament; and to comply with them, was to do so palpable and inexcusable Injustice to the Protestants and *English* Interest of *Ireland*, that he could not expect but that he should lose the Hearts of those Protestants in *England* and *Scotland*, who were indifferent or well affected to him before, as soon as they were fully inform'd of what he had done in *Ireland*; and to lose their Assistance, was to lose the fairest Hopes he could have of recovering his Crown.

8. Fourthly, By holding a Parliament, he manifestly weakned his Forces in *Ireland*; for the Papists, whom he was to restore to their Estates, were most of them poor insignificant people, not able or capable to do him Service; for the Richer sort of Papists were either disoblged by it (being losers as well as the Protestants) or else under a necessity to neglect the King's Service, and spend their time to make Interest to secure themselves of Reprizals, for what they lost by the Parliament.

9. *Fifthly*, He strengthened and united his Enemies, by rendring all the Protestants, that were not under his Power, desperate; and by convincing the rest of the Necessity of joyning with them as fast as they could; since no other Choice was left them, but either to do this or to be ruined.

10. All these Reasons lay before the King against calling a Parliament; and made it manifestly unseasonable to do it now, however bent to comply with the long and earnest Solicitations of the *Irish*, as we see in *Nagles Coventry Letter*, and the two Papers in the Appendix. But contrary to all the Rules of Interest and true Policy, he was resolv'd to gratifie them; for which we were able to give no other reason, but the Resolution ascribed to him in the *Liege Letter*, *either to dye a Martyr, or to establish Popery*; and therefore he issued out a Proclamation for a Parliament, to sit *May 7. 1688. at Dublin*. The Proclamation was dated *March 25.* the next day after he came to *Dublin*, but was not published till *April 2.* It was said to be antedated four days, but of that I can say nothing.

11. Every Body foresaw what a kind of Parliament this would be, and what was like to be done in it. Our Constitution lodges the Legislative Power in the King, Lords and Commons, and each of these is a Check on the other, that if any one of them attempt a thing prejudicial to the Kingdom, the other may oppose and stop it; but our Enemies had made all these for their purpose, and therefore no Law could signifie any thing to oppose them, it being in their power to remove any Law when they pleased, by repealing it. The King was their own, both inclined of himself, and easie to be prevail'd on by them, to do what they would have him: So that we could promise our selves no help from his Negative Vote.

12. The House of Lords, if regularly assembled, had consisted for the most part of Protestants, and might have been a Check to the King's Intentions of taking away



away our Laws in a legal Method, there being, if we reckon the Bishops, about Ninety Protestant Lords to Forty five Papists, taking in the New Creations and Attainted Lords. But first, to remove this Obstacle, care had been taken to reverse the Outlawries of the Popish Lords, in order to capacitate them to sit in the House.

2. New Creations were made, Sir *Alexander Fiston*, the Chancellor, was made Baron of *Gosworth*; *Thomas Nugent*, the Chief Justice, Baron of *Riverston*; *Justin Mac-Carty* Viscount *Mountcashell*; Sir *Valentine Brown*, Viscount *Kenmare*: A List was made of more to be called into the House, if there were occasion.

3. They had several Popish Titular Bishops in the Kingdom, and it was not doubted, but if necessity required, those would be call'd by Writs into the House.

4. It was easie to call the eldest Sons of Noble men into the Parliament by Writ, which would not augment the Nobility, and yet fill the House. But there were already sufficient to over-vote the Protestants, for there remained of about Sixty nine Protestant Temporal Lords, only four or five in *Ireland* to sit in the House; and of Twenty two Spiritual Lords, only Seven left in the Kingdom, of which Dr. *Michael Boyle*, Archbishop of *Ardmagh*, Dr. *Hugh Gore* Bishop of *Waterford*, Dr. *Roan* Bishop of *Killaloo*, were excused, on the account of Age and Sicknes.

The other four were Dr. *Anthony Dopping* Bishop of *Meath*, Dr. *Thomas Otway* Bishop of *Ossory*, Dr. *Simon Digby* Bishop of *Lymerick*, and Dr. *Edward Wettenhall* Bishop of *Cork and Ross*; these were oblig'd to appear upon their Writs directed to them, and King *James* was forced sometimes to make use of them to moderate, by way of Counterpoise, the Madnes of his own Party, when their Votes displeased him: But in the general, they protested against most of the Acts, and entered their Dissent. It is observable, that all these Acts of this pretended Parliament, are said to be by the Advice and Consent of the Lords Spiritual and Temporal, whereas not one Spiritual Lord consented to many of them,

them, but on the contrary, unanimously protested against them; and at passing the Act of Attainder, of which more hereafter, they were not so much as present. They complained of this, but were refused redress, and the express mention of their consent continued: Of Thirty seven Papist Lords, there appeared, besides the new created Lords, Twenty four at times; of which Fifteen were under Attainders by Indictments and Outlawries; two or three were under Age; and there remain'd only Six or Seven capable of Sitting and Acting. Chancellor *Fiston*, now Baron of *Gosworth*, was Speaker of the House of Lords. King *James* was present constantly in the House, and directed them not only in their Debates, but likewise in their Forms and Ceremonies; hardly one in either House having ever sat in a Parliament before.

14. The House of Commons makes the Third Estate in Parliament, and 'tis by them that the people have a more immediate Interest in the Legislative Power; the Members of this House being such as are returned by the peoples Free Election; which is look'd on as the Fundamental Security of their Lives, Liberties and Properties of the Subject. These Members of the House of Commons are elected either by the Free-holders of Counties, or the Free-men of Corporations: And I have already shew'd, how King *James* wrested these out of the Hands of Protestants, and put them into Popish Hands, in the new Constitution of Corporations, by which the Free-men and Free-holders of Cities or Boroughs, to whom the Election of Burgesses originally belongs, are excluded, and the Election put into the Hands of a small number of Men named by the King, and removable at his pleasure. The Protestant Free-holders, if they had been in the Kingdom, were much more than the Papist Free-holders; but now being gone, tho' many Counties could not make a Jury, as appeared at the intended Trial of Mr. *Pride*, and other Protestants at *Wicklow*, who could not be  
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tried for want of Free-holders ; yet notwithstanding the paucity of these, they made a shift to return Knights of the Shire. The common way of Election was thus, The Earl of *Tyrconnel*, together with the Writ for Election, commonly sent a Letter, recommending the persons he designed should be chosen; the Sheriff or Mayor being his Creature, on receipt of this, call'd to many of the Free-holders of a County, or Burgeses of a Corporation, together, as he thought fit, and without any noise, made the return: It was easie to do this in Boroughs, because, by their new Charters, the Electors were not above Twelve or Thirteen, and in the greatest Cities but Twenty Four; and commonly not half of these on the place. The Method of the Sheriffs proceeding was the same; the number of Popish Free-holders being very small, sometimes not a dozen in a County, it was easie to give notice to them to appear, so that the Protestants either did not know of the Election, or durst not appear at it. By these means the pretended Parliament consisted of the most Bigotted Papists, and of such as were most deeply Interested to destroy the Protestant Religion and Protestants of *Ireland*. One *Gerrard Dillon* Serjeant at Law, a most furious Papist, was Recorder of *Dublin*, and he stood to be chosen one of the Burgeses for the City, but could not prevail, because he had purchased a considerable Estate under the Act of Settlement, and they feared lest this might engage him to defend it; Several Corporations had no Representatives, either because they were in the Enemies hands, or else because the persons named by the Charter for Electors, were so far remote, that they could not come in such Numbers as to secure the Elections for Papists, against the few Protestants that were left still in the Charters and who lived generally on the place.

I have mark'd the Boroughs and *Appendix, N. 21.* Counties that had no Representatives, in number about Twenty nine, few Protestants could  
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be prevail'd with to stand, tho' they might have been chosen, because they foresaw no possibility of doing good, and thought it unsafe to sit in a Parliament, which they judg'd in their Conscience Illegal, and purposely design'd for Mischief to them and their Religion; however it was thought convenient that some should be in it, to observe how things went; and with much persuasion and entreaty, Sir *John Mead* and Mr. *Joseph Cogblan*, Counsellors at Law, were prevail'd on to stand for the University of *Dublin*; the University must chuse, and it could not stand with their Honour to chuse Papists, and therefore they pitch'd on these two Gentlemen, who were hardly brought to accept of it, as thinking it scandalous to be in so ill Company; and they could not prevail with themselves to sit out the whole Session, but withdrew before the Act of Attainder came to be concluded, not enduring to be present at the passing of that and some other Barbarous Acts, against which they found their Votes signified nothing while they staid. There were four more Protestants Return'd, of whose Behaviour I can give no account, or how they came to be Return'd: The generality of the Houses consisted of the Sons and Descendents of the Forfeiting persons in 1641, Men that had no Freeholds or Estates in the Kingdom, but were purposely elected to make themselves Estates by taking them away from Protestants.

15. Now whilst the power of Making and Repealing Laws was in such Hands, what security could Protestants promise themselves from any Laws, or what probability was there that any Laws already made in their Favour would be continued?

Especially if we consider further, that this Parliament openly profess'd it self a Slave to the King's Will, and he was look'd on as Factionally and Rebelliously inclin'd, that would dare to move any thing after any Favourite in the House had affirm'd that it was as contrary to the King's pleasure. Several Bills were begun  
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in the House of Commons; one for erecting an Inns of Court; another for Repealing an Act commonly call'd *Poining's Act*; which requires that all Acts should be perus'd by the King and Council of *England*, before they be offer'd to be pass'd by the Parliament in *Ireland*: But King *James* signified his Dissatisfaction to these Bills, and for that Reason they and several others were let fall; though the *Irish* had talk'd much, and earnestly desired the Repeal of *Poining's Act*, it being the greatest Sign and Means of their Subjection to *England*. There was a Doubt made in the House, about the Earl of *Strafford*, whether he should be Attainted for Estate and Life; several moved in his behalf, but it was carried against him upon this Evidence; Colonel *Simon Luttrell* affirmed in the House, *That he had heard the King say some hard things of him*: The King's Pleasure therefore was the Law, to which we were to trust for our Lives and Fortunes, our Enemies having entirely ingross'd the power of Making and Repealing Laws, and devolved it on the King's Pleasure; the very Protestant Lords and Bishops being deny'd their privilege of Entering their Protestations against such Votes as they conceiv'd destructive to the Kingdom. The King told them, That protestations against Votes were only used in Rebellious Times, and with much ado they were allowed to Enter their Dissent; tho' after that was allowed them, the Clerk of the Parliament, one *Polewheele*, a Nephew of Chancellor *Fittons*, shifted them off and did not enter their Dissent to some Votes, though often solicited and press'd to do it, according to the Orders of the House.

16. When King *James* had labour'd, as much as in him lay, to get a Parliament that would Repeal the Penal Laws and Tests in *England*, and open the Houses to Papiſts, he found at last that the great Obstacle that render'd the Kingdom so averſe to this, was the general Fear and Apprehension, that the Legislative Authority, would be Engrossed by them, and turn'd  
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against Protestants; this was so obvious and reasonable a Surmise, that he knew there was no hopes that the People would side with him against their present Majesties, if something were not done to satisfy them; and therefore to remove this Fear, he published his Proclamation dated *September 20. 1688*, wherein he declares himself willing that Roman Catholicks should remain incapable to be Members of the House of Commons; if the Protestants of *England* had reason to apprehend, that Papists would engross the Legislative Authority in *England*, and from the Example of Queen *Maries* House of Commons, to dread such Lawgivers, how much more reason had the Protestants of *Ireland* to dread that Power, when entirely engrossed by their most inveterate Popish Enemies, whose Interest, as well as Religion, oblig'd them to divest all those that profess the Reform'd Religion, not only of the Favour, but likewise of the benefits of Law?

17. They sate from the Seventh of *May* till the Twentieth of *July* following, and in that short time entirely destroy'd the Settlement of *Ireland*, and outed both the Protestant Clergy and Laity of their Freeholds and Inheritances. It is not to be expected I should give an Account of all their Acts; that which concerns this present Section, is to shew how they destroy'd the Protestants real Estates.

i. And that was first by an Act of Repeal, whereby they took away the Acts of Settlement and Explanation; by virtue of which (as I have already shew'd) Two Thirds of the Protestants of the Kingdom held their Estates, that is, all that which is call'd New Interest, was lost by this Repeal; there is no consideration had in it, how any Man came to his Estate: But tho' he purchased it at ever so dear a rate, he must lose it, and it is to be restor'd (without Exception) to the Proprietor or his Descendent that had it before *October 22. 1641*, upon what account soever he lost it; tho' they themselves did not deny, but many deserv'd to lose their Estates;

Estates;

*And who said blame the Lord*  
*God he will*

Estates; even Sir Phelim O Neal's Son, the great Murderer and Rebel, was restor'd.

2. In order to make a final Extirpation of Protestants, they contrive and pass an Act of Attainder, by which all Protestants, whose Names they could find, of all Ages, Sexes and Degrees, are attainted of High Treason, and their Estates vested in the King: The pretence of this Attainder, was their being out of the Kingdom at the time of passing the Act, as shall be shewn in the next Section.

3. Lest some should be forgotten of those that were absent, and not put into the Bill of Attainder, they contriv'd a general Clause in the Act of Repeal, whereby the real Estates of all who dwelt or staid in any place of the Three Kingdoms, which did not own King James's Power, or corresponded with any such as they term'd Rebels, or were any ways aiding, abetting or assisting to them from the First day of August 1688, are declared to be forfeited and vested in his Majesty, and that without any Office or Inquisition found thereof. By which Clause almost every Protestant that could Write in the Kingdom, had forfeited his Estate; for the Pacquets went from London to Dublin, and back again, constantly from August to March, 1688, and few had Friends in England, or in the North, but corresponded with them by Letters, and every such Letter is made by this Clause a Forfeiture of Estate. They had intercepted and search'd every Pacquet that went or came the latter part of this time, and kept vast heaps of Letters, which were of no consequence at all to the Government: We wonder'd what the meaning of their so doing should be; but by this Parliament we came to understand it, for now these Letters were produced as Evidences in the House of Commons, against those that appear'd in behalf of their absent Friends, or oppos'd the attainting of such Protestants as they had some Kindness for; and they were further reserv'd to prove a Correspondence against the few Estated Men that were in the Kingdom. Lastly, It was

*And who could blame  
the Gov who do this*



was the end of *September* 1688, before we heard any thing of the Prince of Orange's design to make a Descent into *England*; and yet to have been in *England* or *Scotland* any time in the Month before, or to have corresponded with any there, is made Forfeiture of Estate by the Letter of this Statute.

4 Left the Children and Descendents of the Protestants thus Attainted, who had Estates before 1641, should come in and claim them after the Death of the Attainted persons, by virtue of Settlements made on valuable Considerations, and upon Marriages, all such Remainders and Reversions are cut off; for there is an express Exception to all Remainders on such as are commonly call'd *Plantation-Lands*, and likewise to such Lands, &c. as are held by *Grants from the Crown*, or upon *Grants by Commissioners upon defective Titles*. It were too tedious to explain these several kinds of Tenures; it is sufficient to let the Reader know, that they comprehended all those Estates which were acquir'd by Protestants before the Year 1641. Thus then the case stood with the Protestants; if they purchased or acquir'd their Estates since the Year 1641, out of any the Lands then Forfeited, they were to lose them, whether Guilty or Innocent, by the Act of Repeal; if their Estates were such as belong'd to Protestants before 1641, and consequently were what we call *Old Interest*, then to have been in *England* or *Scotland*, or to have corresponded with any of their Friends there, or in the North, since *August* 1. 1688, was a Forfeiture of Estate, and a Bar of their Remainders for ever, tho' the Heirs had done nothing to divest themselves of the Estates derived to them by legal Settlements on valuable Considerations. And here the partiality of this Parliament is visible, for there is a saving in the Act for all such Remainders as they thought might relate to any Papist; whereas all the Remainders in which they did imagin Protestants could be concern'd, are barr'd.

5. There

5. There is indeed a promise of reprizing Purchasers in the Act of *Repeal*, which was put in to qualifie the manifest Injustice of it, and to satisfie the Clamours of severall amongst themselves, who were to lose their Estates by it, as having purchased new interested Land. But lest any Protestant, who staid in the Kingdom, should hope for benefit by this Clause, or be repriz'd for the Lands he had purchased, perhaps from a Papist, they contrive a Clause in the latter end of the Act—Whereby the King is enabled to gratifie *Meriting Persons*, and to order the Commissioners to set forth Reprizals, and likewise to appoint and ascertain where and what Lands should be set out to them. By which the Protestants were excluded from all hopes of Reprizals; for to be sure where any of them put in for a piece of Land, there would never want a Meriting Papist to put in for the same; and when it was left intirely to King James, which he would prefer of those two, let the World judge what hope any Protestant could have of a Reprizal. Thus when Sir Thomas Newcomen put in Proposals for a *Custodiam*, in order to a Reprizal, Mr. Robert Longfield, a Convert, and Clerk of the Quit Rents and Absentees Goods, is said to have put his own Name to Sir Thomas's Proposal, and to have got the *Custodiam* for himself.

6. Lastly, Some might think, that tho' near Three Thousand Protestants were Attainted, and the Estates of all the rest in a manner vested in the King, yet this was only done *in terrorem*, and that King James never meant to take the Forfeiture. To this I answer, That it was not left in his power to pardon any that was Attainted, or whose Estate was vested in him by this Act; this was (if we believe his Majesty) more than he knew when he pass'd it, and was one reason why the Act of *Attainder* was made so great a Secret, that no Copy could be gotten of it by any Protestant, till the Easter after it was pass'd, and then it was gotten by a meer Accident. We had from the beginning labour'd to get

it, and offer'd largely for a Copy, but could not by any means prevail; Chancellor *Fitton* keeping the Rolls lock'd up in his Closet, till at last a Gentleman procur'd it by a Stratagem, which was thus, Sir *Thomas Southwel* had been Condemned for High-Treason against King *James*, amongst other Gentlemen at *Galloway*, in *Mar.* 1688. and attainted in the Act of *Attainder* also; he continued a Prisoner till my Lord *Seaforth* became acquainted with him; my Lord undertook to reconcile him to the King, and to get his Pardon: King *James* promis'd it on the Earl's Application. And Order was given to draw up a Warrant for it. The Gentleman I mention'd being a Lawyer, and an Acquaintance of Sir *Thomas's*, was employ'd to draw it up; he immediately apprehended this to be a good opportunity to get a Copy of the Act of *Attainder*, which he had labour'd for in vain before, and which was kept from us by so much Injustice; He told the Earl therefore, and Sir *Thomas* (what was the real Truth) that he could not draw up an effectual Pardon, except he saw the Act that attainted him. Hereupon the Earl obtain'd an express Order from the King, to have a Copy deliver'd to him. This I believe was the only Copy taken of it, after it was Inrolled; it was taken for the use of a Papist, and was lent to the Earl, who was permitted to shew it to his Lawyer; and accordingly left it with him only for one Day, who immediately employ'd several Persons to copy it, and the Copy was sent by the first Opportunity into *England*. The List of the Names of those that were Attainted, had been obtained the *January* before, with difficulty: The Commissioners in the Custom-House, who seiz'd Absentees Goods, and set their Estates, could not do their Work without such a List; and that which was Printed in *England*, with some of the Acts of our *Irish* Parliament, was copied from thence, but the Act it self could not then be procured, and therefore was not Printed with them. When the Lawyer had drawn up the Warrant for Sir *Thomas's* Pardon,

Pardon, with a full *Non obstante* to the Act of Attainder, the Earl brought it to the Attorney-General, Sir *Richard Neagle*, to have a *Fiant* drawn; the Attorney read it, and with Indignation threw it aside: The Earl began to expostulate with him, for using the King's Warrant at that rate. The Attorney told him, That the King did not know what he had done; that he had attempted to do a thing that was not in his power to do; that if the Earl understood our Laws, or had seen the Act of Attainder, he would be satisfied that the King could not dispence with it. My Lord answer'd, That he understood Sense and Reason, and that he was not a Stranger to the Act of Attainder. Sir *Richard* would not believe him till he shew'd the Copy, which much surpriz'd Sir *Richard*: He began to enquire how his Lordship came by it, and intimated that the Keepers of the Rolls were treacherous, in letting any one see it, much more in letting a Copy of it go abroad. His Lordship, with good Reason, express'd his Admiration, that an Act of Parliament should be made a Secret; and the Laws, upon the observation of which, the Lives and Fortunes of so many Men depended, should be conceal'd with so much care from them. At last the Attorney told him, That he himself would draw up a Warrant for Sir *Thomas Southwell's* Pardon, that should do his business, and get the King to sign it. But the Earl refus'd to accept his Offer, unless his Lawyer might first peruse it; which being granted, the Lawyer, upon perusal, found it to be such as would not hold in Law, and intended only to delude him. The Earl made new application to King *James*; and Sir *Richard* being sent for, the King asked him, Why he did not prepare a *Fiant* for Sir *Thomas Southwell's* Pardon, according to the Warrant sent to him? He answer'd, That his Majesty could not grant such a Pardon: That his Majesty was only a Trustee for Forfeited Estates, and could not dispence with the Act; that by an express Clause in it, all Pardons that should be granted were declared void. The King in

some Passion told him, That he hoped they did not intend to retrench his Prerogative. Sir *Richard* replied, That his Majesty had read the Act before he pass'd it. The King answer'd, He had betray'd him; that he depended on him for drawing the Act; and if he had drawn it so that there was no room for Dispensing and Pardoning, he had been false to him, or words to that effect. Thus the matter ended, and Sir *Thomas* went into *Scotland*, with my Lord *Seaforth*, without being able to obtain his Pardon for his Estate or Life, the Act voiding any Pardon granted to any attainted by it after *November 1, 1689*. or not enrolled before the last day of that Month.

18. And now I doubt not but the Reader, from this Story, which is literally true, will observe first the Juggling of the Popish Lawyers with King *James*, and will pity a Prince who gave himself up to such False and Double-dealing Counsellors, when an Act of Parliament is made against a Papist, then it is no less than Treason to question the King's Pardoning and Dispensing Power: But when an Act bears hard on a Protestant, and the King has a mind to ease him, then the King has no power to Dispense, he cannot grant a Pardon, tho' he earnestly desire it. From whence we may see, that the Dispensing Power was only set up to shelter Papists from the Law, and ruine Protestants; and that Papists, in their Hearts, are as much against it as Protestants.

2. We may observe what fair Justice was design'd for Protestants; a Law was made to turn near Three Thousand out of their Estates, and to take away their Lives, if they did not come in against a certain Day; and yet the Law that subjected them to this Penalty was made a Secret, and they not suffer'd to know one word of it, till the time allow'd them to come in was past at least three Months. But there was an Intrigue in this; they knew they had a Party in *England*, who were to face down the World, that there were no such Acts

Acts made; a Party that were to represent it as a Sham and Contrivance of King *James's* Enemies to make him odious; and the great Argument they were to urge to prove it, must be to alledge, Where is the Act? Why doth it not appear? If there were any such Act, would not the People that came so often from *Ireland*, and tell such frightful Stories, have brought it with them? This is the part the Favourers of King *James* were to act in *England* and *Scotland*, and this is the Reason that the Act was so long kept secret.

3. We may observe the Folly of those Men who were attainted in this Act themselves, and yet flatter themselves with the Hopes of living happily, and enjoying their Estates, nay, and getting Preferment under King *James*, when restored to his Kingdoms: These Men do not consider that this Act would be restor'd, together with him, and that then it is not in his power to do this for them; that if they expect any such thing, they must be oblig'd to an *Irish* Popish Parliament for it; and he is much a Stranger to *Ireland*, that knows not what Mercy an *English* man and a Protestant is to expect from them, especially when they can give him nothing, but what is taken from one of themselves. Till therefore the Papists of *Ireland* become so good-natur'd as to give away, by their own voluntary act, their Estates (of which they were in actual possession) to Protestants, it is the greatest Folly in the World for any Protestant to think of enjoying any Estate in *Ireland*.

4. For 'tis observable, that the Protestants Estates were wholly given away by this Act of Attainder, but the Papists were likewise in possession of them by the following means: The Act of Repeal was to be executed by Commissioners appointed by the King, who were to determine the Claims of the Proprietors, or Heirs to the Proprietors of the respective Estates, *October* 22. 1641. and give Injunctions to the Sheriff to put them in possession. In the mean time the Pro-

testants were to keep their Possessions till the First of May, 1690 and to pay Rent to the Popish Proprietors. The same Commissioners were to set out Reprizals to reprobable Persons: But notwithstanding this, no such Commissioners ever sat; the Protestants were generally outed, and the Papists possess'd both of their old Estates, and likewise of the Estates of Protestants; they compass'd this by several Stratagems.

19. Where-ever the Protestants had set their Lands to Papist Tenants, those Tenants forsook their Protestant Landlords, and became Tenants to the pretended Popish Proprietors: Several Protestants complain'd in *Chancery* of this, as contrary to the Act, which allowed them to keep possession till May, 1690. which not being yet come, nor any Commissioners being yet appointed to execute the Act, they moved for an Injunction to quit their Possessions: But the Chancellor answer'd, That this did not concern Landlords that set their Lands, but only such as occupied Farms themselves; and that the Parliament had granted that Indulgence to them, only that they might have time to dispose of their Stocks, which not being their Case who had Tenants, they must go to Common Law, and try their Titles: By this means most of the old Popish Proprietors got into their Estates. Nay, they not only outed the Landlords of their Estates, but even the Protestant Tenants of their Leases, made in consideration of a valuable reserv'd Rent, tho' this was positively against the intent of the Act, which confirm'd such Leases, and only gave the reserved Rent to the restor'd Proprietor. 2. But they found a way to elude this, by another Clause in the same Act, which orders the Mansion-House and Demesnes of the Proprietor or his Assignee, in 1641. to be restor'd, and the Leases made of such to be void. Now they never wanted an Affidavit to prove any beneficial Farm or good House, they found in the hands of a Protestant, to have been Demesnes, and a Mansion-House; and then the Lieutenants



nants of the Counties put them in possession. 3. The same Lieutenants had an Order from *Albionville*, Secretary of State, to turn all Protestants out of their Houses, if they judged them to be the Houses of any Strength, and to Garison them with Papists: We could never procure any Copy of this Order from the Office, tho' they own'd there was such an Order, and we found the Effects of it; the Reasons of concealing it I suppose were the same with concealing the Act of *Attainder*. The design of the Order was to turn out the few Protestant Gentlemen that liv'd on their ancient Estates, and had neither forfeited them by the Act of *Attainder*, nor lost them by the Act of *Repeal*; it was left to the discretion of the Lieutenant of the County whom they would turn out; and they acted according to their Inclinations, and turn'd out almost every Body; and 'twas with great difficulty and interest, that any procured to be eased of this Trouble.

I have given a Copy of some of *Appendix N. 24.* their Orders in the Appendix. In

short, the Soldiers or Militia took possession of such Gentlemens Houses as durst venture to live in the Country, and they themselves were sent to Goal; and had King *James* got the better, they must never have expected to have gotten possession of their Houses, or been released of their Confinement, till they had gone to Execution: For tho' they had been very cautious how they convers'd, yet there would not have wanted Witnesses to prove they had corresponded with some body in *England* or *Scotland*, since the First of *August*, 1688. and then their Estates were Forfeited. The Gentlemen thus used were very sensible of one Inconveniency that beset them on this Account: it troubled them more than their Confinement, to see their Houses and Improvements destroy'd: For when the Soldiers got into the Houses, under pretence of Garisoning them, they sometimes burnt them, and always spoil'd the Improvements.

As for the Estates of Absentees, the Commissioners of the Revenue dispos'd of them, and hardly one Estate in *Ireland* but was already promis'd to some Favourites Papist or other, who by Leases from the Commissioners were in actual possession of them through the whole Kingdom, as far as King *James's* Authority was owned.

20. It may be imagined by some, that King *James* did not know that the Repealing the Acts of Settlement and Explanation was of such mischievous Consequence to Protestants, and that the Protestants were wanting to themselves and him, in not giving him due Information. But these Persons will find themselves mistaken in their Surmises, if they consider,

1. That King *James*, when Duke of *York*, was present at all the Debates concerning the Settlement of *Ireland* at the Council-Board in *England*, and was one of the Council, when those Acts of Settlement and Explanation pass'd it; he had heard every Clause in them debated for near two years; and from time to time he had perfect Information, and was continually sollicitated about them, having a fair Estate in *Ireland* settled on him by them, containing by estimation 108000 Acres, to the value of Ten Thousand Pounds *per Annum*; and perhaps there was not any thing to be understood better relating to the Affairs of his Kingdom, than the Consequence of these Acts. We have seen before, how many Promises and Assurances King *James* had given for maintaining them, as well knowing the importance of them to this Kingdom. But notwithstanding this, he, of his own accord, was the first that motion'd the Repealing of them, in his Speech at the opening of the Parliament in *Dublin*.

2. The Protestants press'd, and earnestly sollicitated to be heard at the Bar of the Lords House upon the Subject of those Acts, that they might shew the reasonableness of them, and demonstrate the injustice and mischief of Repealing them, but were deny'd to be heard;

and

and an Order made, that nothing should be offered in their favour. If therefore King *James* wanted information, it was because he would not receive it.

3. The Bishop of *Meath*, so far as was allow'd him, laid open the Consequences of Repealing these Acts so fully, in his *See Appendix, N.25.* Speech which he made in the House of Lords, when he Voted against the Act of Repeal, that no Man who heard him, as His Majesty did, could pretend to want Information.

4. The Protestants were so far from being silent, or letting things pass without opposition, that they labour'd every Point with all imaginable industry, and used all the industry they could with King *James*, to inform and persuade him; and when they could not gain one Point, they stuck at the next and endeavour'd to gain it, till he had deliberately over-rul'd all their Reasons and Pleas from point to point; and this they did to make his Designs against them the more undeniably plain; not out of any hope of success, or expectation to prevail with him: For they knew their appearing for a thing in the Parliament was enough to damn it, of which they had many Experiments. One was so remarkable that I shall mention it, Mr. *Cogblan* had a mind to procure a Favour for a Friend from the House of Commons, whereof he was a Member; he knew if he mention'd it, it would miscarry, and therefore he got a Papist to propose it: The House seem'd averse to it, and he, for Experiments sake, rose up, and with some seeming warmth oppos'd it: Immediately the House took the Alarm, and in opposition to him, Voted it. They knew likewise, that it was determined to destroy them, and gratifie their Enemies; and that the reason why they were not allow'd to debate the main Point, the justice and reasonableness of the Acts of Settlement and Explanation, was because that could not be done without shewing what Traitors and Murderers the  
Papists

Papists had been, whom King *James* was then about to gratifie; a thing which he would by no means endure to hear.

5. The Reason therefore why the Protestants made so vigorous an opposition, and plyed the King and his pretended Parliament with so many Petitions, Representations and Intercessions, was to stop the Mouths of those that they foresaw would be apt to impute their Misfortunes to their sullenness or negligence, that would not be at the pains of an Application to save themselves, and to demonstrate to the World, that the Destruction brought on them was not a thing of chance, but that it proceeded from a formed and unalterable design of their Enemies to destroy them, insomuch that they never could have expected to enjoy one Foot of Estate or quiet hour in the Kingdom, if King *James* had continued his Government over them.

6. The Case of the Purchasers and Improvers in *Ireland* seem'd the hardest: The Land forfeited by the Rebellion in 1641, was set out to those that had been Adventurers and Soldiers in that War; and many of these had sold them at Twelve or Fifteen years Purchase: The Purchasers had built fair Houses and Villages on them, inclos'd Deer-Parks, planted Orchards and Gardens, and laid out vast Sums in these and other Improvements; it seem'd hard to turn them out without Consideration; to try therefore whether any thing would make King *James* relent, they endeavour'd to see what he would do for these poor Men: How their Case was prest and represented to King *James*, may be judged by a Paper given him by the Lord *Granarde*, and drawn up by the Chief Justice *Keating*, with the Approbation of other Protestants; 'tis in the *Appendix*, King *James* read it, and made no other answer to it, but, *That he would not do evil that good might come of it*; the meaning of which Words, as then apply'd, is not understood.

It has been a common question put to the Gentlemen of *Ireland*, by some that neither knew them nor their Affairs, *What have you lost?* But sure whosoever knows the extent of *Ireland*, and the value of Land in it, will see that the Interest of the *English* Protestants ruined by King *James*, since he came to the Crown, is of greater value, than the Estates of all that favour his Cause in *England* and *Scotland*; and I suppose it would put them out of conceit with him, or any other King, that should take away but one half of their Estates from them.

### SECT. XIII.

*Eighty, King James brought the Lives of his Protestant Subjects in Ireland, into imminent danger.*

1. I Suppose, from the former Sections, it is sufficiently apparent, what Invasions King *James* made on the Liberties and Fortunes of his Protestant Subjects; there remained to them only their Lives, and these, as will appear from this Section, were put in imminent danger by him; many were lost, and the rest escaped with the greatest hazard. When King *James* came into *Ireland*, it was certainly his Interest to exercise his Clemency towards his Protestant Subjects; and he knew it to be so; and therefore in his Declaration which he sent presently into *England*, he made large Professions of his Tenderneſs towards them, and boasted how much *their Safety had been his Care*. Every body expected a Proclamation for a General Pardon and Indemnity should have been sent before him; and that he would have put an effectual stop to the illegal Prosecutions against their Lives, and to the Robberies of their Fortunes, that every where were going on at his coming: But, on the contrary, he rather push'd on both; and not content with the Laws that already were in force, which partial Judges and Juries wrested to destroy them, he made new Snares for them by  
Acts

Acts of his pretended Parliament, and by several private Declarations; whereby not only he, but his inferior Officers, took on them to dispose of the Lives of Protestants.

2. It is not reasonable to charge his Majesty with the private Murther committed on Men in their Houses, which were many up and down the Kingdom; several even in the City of *Dublin*. Only thus far in some degree he may be thought responsible for them: He knew very well with what barbarous Murthers the Papists of *Ireland* had been charged in the Rebellion of 1641. he knew what inveterate hatred they carried towards the Protestants, and how many Tories and Robbers constantly disturbed the Peace of the Kingdom; and yet without any necessity at all, he threw himself upon these People; he encouraged them, he armed them, he gave Commissions even to those that had been Tories, and guilty of Murthers, and therefore cannot altogether be excused from the Irregularities committed by them, especially when there was no search made after, or prosecution of the Murthers; as it happened in the Case of Colonel *Murry* of *Westmeath*, Brother-in Law to my Lord *Granard*, an old Gentleman who had served King *Charles* the First and Second, and suffered considerably for his Loyalty; he was way-laid, and shot dead as he rode to his own House under King *James's* Protection, and with some Marks as he imagined of his Favour. Yet no enquiry was made after it. There were many such private Murthers, but I do not think it necessary to insist on them: I shall confine myself to such as are of a more publick Nature, which gave us just Reasons to fear that the Government had a design upon our Lives.

3. Such were first encouraging Witnesses to swear us into feigned Plots and Conspiracies; of these there were many set up in the Kingdom; almost every County had one set up in it, and many were put into Prison and indicted for High Treason, as Captain *Phillips*, and Mr.

*Beven*

*William*

*Bowen*, in the County of *Westmeath*, and several others in other places, some of which I have before mentioned; and when the Perjuries of the Witnesses came to be plainly discovered, they yet were encouraged and protected from any legal Prosecution. Of this nature a Conspiracy was framing against one *Mr. William Spike*, and if it had taken effect, it would have reached to a great many more. The Contrivance was thus: One *Dennis Connor* had a mind to a small Employment which *Mr. Spike* held in the Castle; he had petitioned for it, but *Spike*, by the Interest of my Lord *Powis*, tho' a Protestant, kept his Place, being found diligent in it. *Connor* resolved to try another experiment to get him removed: He framed a Letter as from one in *Inniskillin*, directed to *Spike*, in which the Writer thanks him for his Intelligence, and refers to a method agreed on for seizing the Castle of *Dublin* on a certain day. The Letter (to make the thing more credible) abuses King *James* in very ill terms: *Connor* drops this Letter in the Castle, where *Spike* came every day, knowing that as soon as it was found, *Spike* would be seized, and then he might manage the Plot as he pleased: But his Contrivance was spoiled; for the Sentinel saw him drop the Paper, and procured him immediately to be seized. He was examined before the Chief Justice, and I think before King *James* also, why he wrote such a wicked Letter? He said it was for the King's Service to remove *Spike*, whom he believed to be a Rogue, and who being a Protestant, would betray the King. *Spike* prosecuted him in the *Kings Bench*; but after all that could be done, the Jury brought *Connor* in Not Guilty, pretending that it did not appear that this was the very Letter dropp'd by *Connor*, tho' he had confess'd it before the King and the Lord Chief Justice; and tho' it was prov'd and own'd to be his Hand, and a rough draft of it found with him, and the Sentinel swore he dropp'd a Letter, which he delivered to the Officer; and the Officer swore that was the Letter, delivered by the Sentinel to him, tho' he did not see it drop.

About





About the same time a Fryar was brought up to Town, who pretended to be dumb and maimed ; the Popish Clergy gave out, That Duke *Schomberg* had cut out his Tongue, and thus maimed him ; and declared, That he would serve all the Priests and Fryars after the same manner ; and they made Proposals to revenge it on the Protestant Clergy. King *James* caused the Fryar to be examined, and discovered the deceit ; which falling immediately on Mr. *Spike's* Business, made the King lay in great anger, That for ought he saw, the Protestants were wronged, and misrepresented unto him ; and that there were some as great Rogues among the *Roman* Catholics, as amongst them. The Fryars, to acquit themselves of the Cheat, got their Brother Fryar severely lash'd, pretending that he was a Spy, and none of their Fraternity: Upon which, he was carried naked through the Town on a Cart in a savage manner, to execution, as was supposed, but was brought back and put into Prison from which, after some time, he was dismissed, and his Habit restor'd him. Many such Contrivances there were against the Lives of Protestants, and they could not look on themselves as safe, while such wicked Men were unpunished ; the Courts also declaring, That the Witnesses, tho' perjur'd, could not be punish'd, because they swore for the King.

2. No Protestant was secure of his Life, because the Courts wrested such Facts to Treason, as were not declar'd so by any Law. Thus Chief Justice *Nugent* declared it was Treason for any Protestant to keep Arms, or wear a Sword, after the King had forbidden it by his Proclamation, and declared them Rebels that did so : Several Gentlemen in the Country had kept their Horses, and Arm'd their Servants, to watch them against the Robbers commonly call'd Rapparees, that plunder'd them ; this was construed a Levying War against the King ; and the pretended Parliament attainted them of High Treason. In the County of *Cork*, one Mr. *Brown* had appear'd in a Company of Men, who  
endea-

endeavour'd to make their escape from those that came to Plunder them of their Arms and Horses; but misliking the Design, went home to his own House: He was brought before Judge *Dally* for this at *Lymerick*, who, upon Examination of the matter dismiss'd him, judging him innocent of any Crime that would bear an Indictment: But he was taken up again for the same Fact at *Cork*, and brought before Judge *Nugent*, at the same time when King *James* came first thither. Judge *Nugent* seem'd at first to be of the same Opinion with Judge *Dally*; but after he had discours'd His Majesty, he proceeded vigorously against the Gentleman, and procur'd him to be found Guilty by a partial Jury. Every body look'd on this only as an occasion sought for the King to shew his Clemency. Mrs. *Brown* the Convicted Gentleman's Wife, with five or six Children, presented him a Petition begging her Husband's Life at his Feet, as the first Act of Grace on his coming into the Kingdom; but he reject'd her Petition; and notwithstanding she reinforc'd it with all the Friends and Interest she could make, the Gentleman was Hanged, Drawn, and Quarter'd. This awakened all the Protestants in *Ireland*; it made them remember the bloody Executions in the West of *England*, on the account of *Monmouth's* Rebellion, and how small a matter serv'd to take away Men's Lives there. They suspected that Judge *Nugent* would act the same part in *Ireland*, that Chief Justice *Jefferies* had done in *England*; and they knew that if the King did not interpose, neither Juries nor Witnesses would be wanting to destroy them. In short, they became very sensible that their Lives were in imminent danger, when they saw a Gentleman of some Estate and Credit in his Country, Hang'd for being but in the Company for a little time (without acting any thing) of some others who endeavour'd to make their escape from a Crew of Robbers, that without Order or Commission came to plunder them of their Horses and Arms; they had the more reason to be Apprehensive of their

their Lives, when they found, that no advantage was let slip against them, nor any Articles or Promises, however solemnly made to them for their safety and indemnity, were regarded; of which there were many Examples.

3. At the time of the Disarming, *February 24*, the Town of *Bandon*, near *Cork* being frightned and surpriz'd with such an unjust and sudden thing, and not knowing where it would end, shut up their Gates, and turn'd out some Dragoons who were appointed to Disarm them. General *Mac Carty* went to reduce them, and they believing him to be a Man of Honour, yielded to him upon Articles, for which they paid him a Thousand Pounds *Sterling*; by the Articles they were to be indemnified for what was past, and a Pardon to be granted them. Notwithstanding which Articles, the Grand Jury at *Cork*, by direction of Chief Justice *Nugent*, found Bills against them, resolving to serve them as he had served Mr. *Brown*; and it was suppos'd that he was encourag'd to do it by King *James* himself. The time allowed him for the Assizes would not permit him to try them then; and for this reason, and on the Importunity and Menaces of General *Mac Carty*, who being on the place, thought himself obliged to make good his Articles, he put off their Tryal till the next Assizes. These Bills lay over their Heads, no Pardon was granted them, and some of them were condemned in the Act of *Attainder*.

The Earl of *Inchiquin* and Captain *Henry Boyle* had put themselves under General *Mac Carty's* Protection, and he engaged to secure them and their Houses, but he did not perform his Promise: For *Castle-martyr*, belonging to Captain *Henry Boyle*, with all the Improvements and Furniture, to the value of some Thousands of Pounds, were destroy'd and plunder'd by his Soldiers, assisted with the Rabble, and he with the Earl were glad to provide for their safety, by leaving all and flying into *England*. In *Connaught* some Protestants

got into *Headford-Castle*, belonging to *Sir Oliver St. George*, to avoid the violence of the Rabble: They were Besieged by the Lord *Galloway*, and Surrender'd on Articles of Pardon and Safety. But at the next Assizes a Bill was prepared against them, and presented the Grand Jury at *Galloway*: The Jury, tho' Papists, considered (as they said) that it might be their own Case another day, and some stickled so earnestly against the Bill, that there were not enough to find it. However, nobody knew whether every Jury would be of that Humor; and no care was taken to discountenance such Proceedings. *Sir Thomas Southwel*, with some Gentlemen of *Munster*, were unwilling to part with their Horses and Arms, many of them having been robbed and plunder'd of their Stocks before, and justly suspecting that as soon as their Arms were gone, neither their Lives, nor the remainder of their Substance could be safe. They got together therefore with their Servants, to the number of near Two hundred, and resolved to march to *Sligoe* to joyn the Lord *Kingston*, for their common defence, but were met in the way by a small Party of King *James's* Dragoons, to whom they surrendered themselves on Articles of Safety and Liberty. Notwithstanding which they were robb'd and made Prisoners; and tho' many of them had plentiful Estates, yet these were seized by King *James's* Commissioners, and nothing allowed them to preserve their Lives, except the charitable Contributions of their fellow Protestants from several parts of the Kingdom: They were brought to Trial before Judge *Martin*, who persuaded them to plead Guilty, assuring them of the King's Mercy, who was just then Landed. They were over-persuaded by him, tho' they had not been guilty of any overt Act that could be construed Treason, or proved against them, as their Lawyers informed them. The Judge, as soon as he had prevailed with them to confess themselves

selves Guilty, past Sentence of Death on them; and with much ado, and a Sum of Money, they procured a Reprieve; which they were forced to renew from time to time. They continued under the Sentence of Death in close Imprisonment, being removed from Gaol to Gaol, till the general Deliverance by his Majesty's Victory: All which time they were not only in a Starving condition, but likewise had once a Summons sent them, either in jest or earnest, to prepare for Execution, by the Earl of *Clanrickard*; who came to *Galloway* about the beginning of *November*, 1689, and sent them word, that they must prepare for Death on the 6<sup>th</sup>. of the same Month, for it was His Majesty's pleasure they should be then Executed: And accordingly the Sheriff appear'd with all necessary preparation for their Execution on the Day appointed. There was indeed no such Order; but his Lordship being a new Convert, thought it allowable to put this Jest on them, as a Testimony of his Zeal against Hereticks: And there was no other Reason but this given, why he put so many Gentlemen into that terrible fright. But all Protestants who heard it were very ill pleased, that the Lives of so many of them should be thought a proper Subject for a Jest, and no notice taken of those who made it; and considering the Solemnity and Circumstances with which he carried on this Jest, the very Roman Catholicks judged it unreasonable.

4. The Protestants had reason to fear their Lives, when they saw that they were in the Hands of such, as not only broke all Articles and Conditions with them, but likewise violated the King's Protections granted to poor innocent People that had no way offended him. This was the Case of many in the County of *Down*, tho' they had Protections granted them, and lived quietly; yet not only their Goods were taken from them, but likewise their Wives and Daughters were ravished by the Soldiers. They were most sensible and impatient of this Injury, and yet proceeded no further than

than to complain of it to the Chief Officers, and to demand redress from them. The answer they had was, That these Robbers and Ravishers had no Authority from the King for what they did; and therefore they advised the Complainants to fall on them and oppose them, if they made any further Attempts on the Country. The poor People were satisfied with the Answer, and resolved to do as they were directed; and accordingly fell upon the next Party of Souldiers they found plundering and committing Outrages on the Country-People, and they kill'd some of them. This, instead of being approv'd, as they were made to believe it would be, was counted a Rebellion: And immediately Major-General *Boban* was sent among them with a Party, who massacred about five or six hundred Men of them in cold Blood for several Days together. Many of those who were killed were poor, old, impotent People; many were killed at their Work, and while they were busie about their own Affairs, and suspected no such matter. King *James* was so far from resenting the barbarous usage of this poor People, that he rail'd on this occasion against Protestants in general, representing them as false and perfidious: *For*, said he, *many were killed with my Protections in their Pockets*. Not considering the Reflection was on his own Party, against whom his Protection, as appear'd by his own Confession, was no Security. And when Men were thus slaughter'd with his Approbation, notwithstanding his Protections in their Pockets, it was but reasonable for such as survived to think of some other way of protecting their Lives. If he had design'd in earnest to have secured his Subjects Lives, or to prevent their Destruction, he would have made Examples of those who robb'd or kill'd such as had been at the Charges of taking out four or five Protections, and yet were never the safer or securer of their Fortunes or Lives.

The violation of Protections in the County of *Derry* and *Donnegal*, was yet more barbarous, and satisfied all

Protestants, that they ought not to expect any Security of their Lives, whilst under the power of such Men. The Noise of the Siege of *Derry* has fill'd the World, and such an Account is given of it as supersedes my insisting on it. The City is neither well situated, nor well fortified; it has no Mote about it, nor Counter-scarp; and the Bastions are so small, that they are not capable of so many Men as are requisite to defend the Curtains against a vigorous Attack, and so ill placed, that their Guns do hardly clear them. Yet the whole Strength of King *James's* Army, assisted with his *French* Engineers, could never come so near it as to dismount one Cannon on the Walls, or make a Breach in them: This proceeded from the Cowardice of the Besiegers; who, according to the nature of Cowards, stuck at no Cruelty to gain their purpose. They consider'd that the Besieged had many Relations in the Neighbouring Country, and that they had a general Kindness for all the Inhabitants thereabout, being, if not their Relations and Acquaintance, at least their Country-men and Protestants. The Besiegers therefore hoped to take advantage of this Tenderness and good Nature of the Besieged to reduce the Town; and in order to it, made use of this Stratagem, which I think was of their own Invention: For I do not remember to have met any thing like it in History; nor do I believe it was ever practis'd by any Nation, unless the *French* have used it in their late Wars. Thus it was:

*See Appendix, N. 28.* General *Rosen* issued out Orders to bring together all the Protestants, Men, Women, and Children, protected and not protected, and to set them before the Walls, there to receive the Shot of the Besieged, whilst the Besiegers made their Approaches under their Covert, and in the mean time to starve and famish them, if their Friends in the Town would not, out of Compassion to them, yield up themselves and City into the Hands of these Murderers. The Dragoons and Soldiers executed this

Order



Order with the utmost rigour, they first stript, and then drove the whole Country for thirty Miles about before them, not sparing Nurfes with their Sucking-Children, Women big with Child, nor old decrepit Creatures, some Women in Labour, some that were juſt brought to bed, were driven amongſt the reſt; the very Papifts Officers that executed the thing, confeſs'd, that it was the moſt diſmal Sight they had ever ſeen, and that the Cries of the poor People ſeem'd to be ſtill in their Ears: They owned that they gathered above four Thouſand, others ſay ſeven Thouſand, and that they kept many of them without Meat or Drink for a whole Week: That ſeveral Hundreds died in the Place before they were diſmiſt, and many more on the way as they went Home again to their Houſes: Nor were they better when they came there, for the ſtragling Souldiers, Raperees and Pilferers that follow'd the Army, had left them neither, Meat, Drink, Houſhold-ſtuff, nor Cattel, but had taken away all in their abſence; ſo that the generality of them afterwards periſhed for Want, and many were knock'd on the Head

by the Souldiers. I need not trouble the Reader with the Succeſs of this cruel and fooliſh Stratagem;

*See Doct<sup>r</sup> Walker's Siege of Derry.*

it was the ſame which any thinking Man would have expected: It confirm'd the Beſieged in their Reſolutions, never to yield to ſuch barbarous People; and it made them ſet up Gallows, and threaten to hang all the Priſoners they had in their hands, if their Friends were not immediately diſmiſt; with which the Beſiegers being ſtartled (and finding that it did not answer their Deſign, to keep them ſtill under the Walls) did at laſt comply, after they had kept them there three Days without Meat: This was the ſecurity Men had of their Lives by King *James's* Protections The News of this Order came to *Dublin* before it was executed, and the Biſhop of *Meath* went immediately to King *James*, to ſee if he could prevail with him to prevent ſuch a

barbarous proceeding: His Majesty very calmly told the Bishop, *That he had heard of it before, and that he had sent Orders to stop it; that General Rosen was a Foreigner, and us'd to such Proceedings as were strange to us, tho' common in other Places; and that if he had been his own Subject, he would have call'd him to account for it:* Yet he continued him still in his Employment. 'Twas he burnt the Country about *Derry*, when he was forced to raise the Siege, and left, after the *French* Custom, the Gentlemen's Houses and Villages, that lay in his way towards *Dublin*, in Ashes. It was commonly said, that he and *Mammo*, who was kill'd before *Derry*, were the Persons employ'd to Dragoon the Protestants of *Languedock*, and that committed so many Barbarities on those poor People. If so, it is not strange that they should commit the like on the Protestants of *Ireland*. But it is strange that King *James* should employ such Men, and not at all punish such monstrous violation of Faith, as well as of Humanity, and yet expect that we should depend on him for our Protection.

His Protections were in every place alike insignificant; many Protestants lost the value of Three, many of Four, and some of Ten Thousand Pounds *Sterling*, notwithstanding their repeated Protections, and their approv'd and peaceable demeaning themselves; of which Captain *Barton*, in the County of *Monaghan*, was a signal Example: He had a Protection for his House, at *Carrick Mac-Ross*, and Arms, and had left his Servants in his House, to preserve it and his Goods, he himself staying in *Dublin*, as an Hostage to the Government, that they might not suspect him to have any design to withdraw to the North, or joyn with such Protestants as were in Arms there; yet in his absence, a Party of Colonel *Mac-Mabon's* Regiment, about *February*, 1688. came and demanded the House; the Servants shewed their Protection, and told him who commanded the Soldiers, that they had Orders from the Government to keep the House: The Commander assured them, that he

he would not disturb them, and that he only design'd to lodge some of his Men in it, to secure it more effectually for the King and the Owner; upon which Promise the Servants let him and his Soldiers into the House: They no sooner had obtain'd Entrance, but they fell a plundering, destroying, and defacing; and in a few Hours, by ruining his Improvements, and robbing his Goods, Stock, and Furniture, they Damnified him to near the value of Ten Thousand Pounds. He complain'd of this false and injurious Dealing to the Government, but could never obtain any redress, or procure the Actors of it to be brought to any Account or Punishment; instead of obtaining any thing of that nature, they added new Injuries to their former, and at last Burnt his House to the Ground.

And here it will not be amiss, by the way, to give some further Instances of their Violation of Articles, as well as of Protections. About Thirty Soldiers, *January, 1688*, deserted from *Dublin*, and endeavour'd to make their Escape to *Inniskillin*: They were pursu'd by one Captain *Nugent* with a Party of Horse, and overtaken near *Navan*, within Twenty Miles of *Dublin*; they put themselves in a posture to Fight, and were ready to Fire at him; but he by fair Promises and good Words, perswaded them to Capitulate, and at last upon Articles to yield: He Covenanted with them that they should be safe and free, and should suffer no other Injury but the loss of their Arms; notwithstanding which, as soon as they gave up their Arms, he stript and pinion'd them, and with much Interest they escaped present Death: This Mercy was due to the Circumstances of the time, which obliged the Government to reserve them in Gaol till a more proper Season, tho' in a Condition more grievous than if they had been Hang'd immediately.

The Fort of *Culmore* near *Derry*, yielded on Articles to King *James*, by which the Gentlemen that surrendered it were to be indemnified, and liberty allow'd

them either to live secure and quietly in the Kingdom; or else go to any other place where they thought fit; but notwithstanding these Articles, they were disarm'd and stript, and several of them seiz'd and put into Prison, nay, attainted in their pretended Act of Parliament.

The Garison of *Londonerry*, after the Forces which came under Colonel *Cunningham* and Colonel *Richards* to succour it, had resolv'd to return for *England*, sent one Captain *White* to King *James*, to receive Proposals from him, it being the Opinion of many of those that remain'd in the Town that they must surrender it; the Conditions were not difficult to concert: In the mean time it was agreed, as a preliminary Article, That the Army should not March within Four Miles of the Town; but before the Terms could be adjusted, or any Answer be return'd from the City, the King himself marched his Army towards it, and was in view almost as soon as the Commissioners that came with the Proposals: This being against his Engagement, and an absolute breach of the preliminary Article already agreed on, put a stop to the Treaty, and contributed to the Resolution of the Besieged; who durst never trust any Articles after this, but rather than depend on the Faith of King *James* or his Party, chose to suffer the utmost Extremity.

The breach of Articles by my Lord *Galmoy* to Mr. *Dixy*, a young Gentleman (Son to the Dean of *Kilmore*) and Mr. *Charlton* was yet more Barbarous; The Lord *Galmoy* went down in *March*, 1682 to the County of *Cavan*, and surpriz'd these two Gentlemen; he had a Party of the Army with him, and took up his Quarters at *Belturbet*. His two Prisoners were to be exchanged for one Captain *Mac Gwire*, then Prisoner at *Crum*, a small Castle, and the only place that stood out against King *James* in that County: The Owner of the Castle was one Captain *Creighton*, who permitted Captain *Mac Gwire* to go to *Belturbet* on his Parol to be a true Prisoner:

soner : *Mac Gwire* so negotiated the matter, that he return'd with a Summons and Proposals as well for *Inniskillin* as the Castle of *Crum* ; and he suppos'd them not averse to a Surrender on good Terms ; but the Lord *Galmoy* imagined that these Proposals would make the People of *Crum* secure ; and therefore that very Night, without waiting for any answer, he march'd to the Castle before they were aware, and had almost surpriz'd them ; but the Resolution of those within prevented the success of his perfidious Design, and forc'd him back without being able to do any other mischief than the venting his Anger on his two Prisoners, whom after his return to *Belturbet*, he, contrary to his Faith and Engagement, hang'd on a Sign-Post, and suffer'd their Bodies to lie unburied, and be barbarously abused. This was Captain *Mac Gwire's* own Account of the Matter ; the consequence of which Falshood was, that those People would never hear of any Terms afterwards ; and upon their Trial found much more safety in their Arms, than in the Promises of King *James*, or of any of his Party ; having baffled and cut off several considerable Bodies of his Forces sent against them, and taken many and considerable Prisoners, whom yet they used with all Humanity, as it were to reproach the barbarous and perfidious Usage which their Prisoners met with : But it was avowed and profest by the generality of King *James's* Men, that they did not look on themselves to be obliged to Treat the Rebels of the *North*, as they call'd them, as fair Enemies, but as Traytors and Infamous Persons, whom they might destroy at any rate.

In the County of *Longford* some Protestants got into the Castle of *Kenanght*, belonging to Sir *Thomas Newcomen* : His Lady, and those with her, surrendred it on Articles, *January 13, 1689*, to Brigadier *Nugent*, (slain afterward by the *Inniskillin* Men at *Cavan*) one of the Articles was for the Goods belonging to those in the House, and their Friends ; notwithstanding which,  
*Nugen*,

*Nugent* seiz'd and took away several parcels of Goods; and several that were in the House, as soon as they came out, were plunder'd and strip'd naked. Another Article was, That the House of *Kenaught* should not be Burnt nor Injured, notwithstanding which it was burnt to the Ground by Colonel *Cobannaught Mac Gwire*. In short, it was observ'd that amongst all the Articles into which King *James*, or his Officers entred, they never kept any to Protestants.

5. A fifth Invasion on our Lives was, that both King *James* and his inferiour Officers, took on them to dispose of them by private Orders and Proclamations, the penalty of violating which was often present Death: Thus the Proclamation that required us to bring in our Arms, was on the penalty of being left to the discretion of the Soldiers; which was to expose our Lives and Fortunes to the Mercy of our greatest Enemies. By a Proclamation dated *July 20, 1689*, all Protestants are required to bring in their Swords and other Arms, on penalty of being dealt with as Rebels and Traytors. The Proclamation dated *June 15, 1690*, forbad any to change a *Guinea, &c.* for more than Thirty six Shillings in Brass, under pain of Death; and Colonel *Lutterel* published a Declaration, forbidding more than Five Protestants to assemble together, or to be out of their Lodgings after Ten of the Clock at Night, on the same Penalty; the Declaration was of his own Penning, and

to gratifie the Curious, I have put  
*See Appendix, N. 31.* it in the Appendix; the Order to the Ministers to number the Protestants, was likewise Penned by him; and in it he declared, That every one who did not enter in their Names by a certain Day, should be treated as a Spy or Enemy; nay, sometimes he took on him to make Death the penalty of his verbal Orders, without a Declaration published: Thus he commanded the Fellows and Scholars of the College of *Dublin*, upon pain of Death, not to Meet together, or Converse above Two or Three

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at a time; and he would needs hang Mr. *Piercy* the Merchant, as I shewed before, without any Notice given, for saying, That he was unwilling to part with his Goods.

In *April*, 1690. The Quarter-Sessions for the County of *Dublin* were held at *Kilmainham*, near *Dublin*; Colonel *Lutterel*, Governour of *Dublin*, was on the Bench, and in a Speech declared, That King *James* wanted Wheat and other Grain for his Horses, and that he had given the Country-Farmers three Weeks to bring in their Corn, and had waited for their compliance during that time; that he resolv'd to wait further till the *Saturday* after, and if they did not bring it in by that time, he would compel them; that it was the King's Will they should do it, and he the King's Servant, who would see his Master's Command executed; and with a great Oath swore, He would hang that Man before his own Door, that did not obey and bring in his Corn according to order. Of this Speech, the whole Bench and Country were Witnesses.

*May 7*. 1690. the Lord Mayor thought fit to re-inforce a former Proclamation about the Rate of Goods in the Market; but Colonel *Lutterel* did not think the Mayor's Order sufficient, and therefore published an Order of his own by Beat of Drum, declaring, That whoever transgress'd the Lord Mayor's Order either by Buying or Selling, should be hanged before their own Doors.

About the same time Brigadier *Sarsfield* published an Order, requiring all Protestants on the Borders to leave their Houses, and retire Ten Miles from the Frontiers on pain of Death.

These were the Laws King *James's* Council and Ministers prescrib'd us by their Proclamations and Orders; and these were the Acts of his Generals and Governours, whom he made Guardians of the Lives and Fortunes of Protestants, and yet they all came short of the Inhumanity of his Parliament.



6. It has been usual in Parliaments to attain notorious Rebels and Traytors, who were too strong for the Law, or who being kill'd in their Rebellion, could not be tried or condemned by the ordinary course of it; and when one or two in a King's Reign were thus attainted upon the most evident Proof, and notoriety of the Fact, it was counted a great matter; even in the late *Irish* Rebellion, none were attainted but by the legal Course of Juries. But King *James* and his Parliament intended to do the Work of Protestants speedily and effectually, and not to wait the slow Methods of proceeding at the Common Law: They resolv'd therefore on a Bill of Attainder; and in order to do it, every Member of the House of Commons return'd the Names of such Protestant Gentlemen as liv'd near him, or in the County or Borough for which he serv'd; and if he was a Stranger to it, he sent into the County or place for Information; they were in great haste, and many escaped them: On the other hand, some that were actually in King *James's* Service, and fighting for him at *Derry*, (of which Colonel *Edmund Keating*, Nephew to my Lord Chief Justice *Keating*, was one) were return'd as absent and attainted in the Act. When they had made a Collection of Names, they cast them into several Forms, and attainted them under several Qualifications, and accordingly allow'd them time to come in, and put themselves on Trial: The Qualifications and Numbers were as follow:

1. Persons attainted of Rebellion, who had time given them till the Tenth of *August* to surrender themselves and be Tried, provided they were in the Kingdom, and amenable to the Law at the time of making the Act, otherwise were absolutely attainted:

One Archbishop.

One Duke.

Fourteen Earls.

Seventeen Viscounts, and one Viscountess.

Two Bishops.

Twelve

Twelve Barons.

Twenty six Baronets.

Twenty two Knights.

Fifty six Clergy-men.

Eleven hundred fifty three Esquires, Gentlemen, &c.

2. Persons who were Absentees before the Fifth of November, 1688. not returning according to the Proclamation of the 25th. of March, attainted if they do not appear by the First of September, 1689.

One Lord.

Seven Knights.

Eight Clergy-men.

Sixty five Esquires, Gentlemen, &c.

3. Persons who were Absentees before the Fifth of November, 1688. not returning according to the Proclamation of the 25th. of March, attainted if they do not appear by the First Day of October, 1689.

One Archbishop.

One Earl.

One Viscount.

Five Bishops.

Seven Baronets.

Eight Knights.

Nineteen Clergy-men.

Four hundred thirteen Esquires, Gentlemen, &c.

4. Persons usually resident in England, who are to signify their Loyalty, in case the King goes there the First of October, 1689, and on his Majesty's Certificate to the Chief Governour here, they to be discharged, otherwise to stand attainted.

One Earl.

Fifteen Viscounts and Lords.

Fourteen Knights.

Four hundred ninety two Esquires, Gentlemen, &c.

5. Absentees by reason of Sicknes and Nonage, on proving their Loyalty before the last Day of the first Term after their return, to be acquitted and restor'd; in the mean time their Estates Real and Personal are vested in his Majesty.

One

One Earl.

Seven Countesses.

One Viscountess.

Thirteen Ladies.

One Baronet.

Fifty nine Gentlemen and Gentlewomen.

6. They vest all Lands, &c. belonging to Minors, Ladies, Gentlewomen, in the King till they return; and then upon Proof of their Loyalty and Faithfulness to King James, they are allow'd to sue for their Estates before the Commissioners for executing the Acts of Repeal and Attainder, if Sitting, or in the High Court of Chancery, or Court of Exchequer; and upon a Decree obtain'd for them there, the Sheriffs are to put them in possession of so much, as by the Decree of one of those Courts shall be adjudged them. The Clauses in the Act are so many and so considerable, that it never having been printed entire, I thought it convenient to put it into the *Appendix*. Perhaps it was never

*See Appendix.* equall'd in any Nation since the time of the Proscription in Rome; and not then neither; for here is more than half as many Condemned in the small Kingdom of Ireland, as was at that time proscribed in the greatest part of the then known World; yet that was esteem'd an unparallell'd Cruelty. When Sir Richard Nagle, Speaker of the House of Commons, presented the Bill to King James for his Royal Assent, he told him, That many were attainted in that Act by the House of Commons, upon such Evidence as fully satisfied the House; the rest of them were attainted, he said, upon Common Fame. A Speech so very brutish, that I can hardly persuade my self that I shall gain Credit to the Relation; but it is certainly true, the Houses of Lords and Commons, of their pretended Parliament, are Witnesses of it: And let the World Judge what Security Protestants could have of their Lives, when so considerable a Lawyer as Sir Richard Nagle, declares in so solemn

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an occasion, and King *James* with his Parliament approves, that common Fame is a sufficient Evidence to deprive, without hearing, so many of the Gentry, Nobility, and Clergy, of their Lives and Fortunes, without possibility of Pardon; and not only cut off them, but their Children and Posterity likewise, by a particular Clause from advantages, of which the former Laws of the Kingdom would not have deprived them, though their Fathers had been found guilty of the worst of Treasons in particular Trials.

7. I shall only add a few Observations on this Act, and leave the Reader to make others, as he shall find occasion.

1. Then this Act leaves no room for the King to Pardon after the last Day of *November*, 1689, if the Pardon be not Enroll'd before that time, the Act declares it absolutely void and null.

2. The Act was conceal'd, and no Protestant for any Money permitted to see it, much less take a Copy of it, till the time limited for Pardons was past at least Four Months: So that the State of the Persons here attainted is desperate and irrecoverable, except an *Irish* Popish Parliament will relieve them; for King *James* took care to put it out of the Power of any *English* Parliament (as well as out of his own Power) to help them, by consenting to another Act of this pretended Parliament, Intituled, *An Act declaring that the Parliaments of England cannot bind Ireland, and against Writs of Errors and Repeals out of Ireland into England.*

3. It is observable, with what haste and confusion this Act was drawn up and past; perhaps no Man ever heard of such a crude imperfect thing, so ill digested and compos'd, past on the World for a Law. We find the same Person brought in under different Qualifications; in one place he is expressly allow'd till the First of *October* to come and submit to Tryal; and yet in another Place he is Attainted if he do not come in by the First of *September*; many are Attainted by wrong  
Names

Names; many have their Christian Names left out; and many whose Names and Surnames are both put in, are not distinguished by any Character, whereby they may be known from others of the same Names.

4. Many considerable Persons are left out, which certainly had been put in, if they could have gotten their Names; which is a further proof of their haste and confusion in passing the Bill. It is observable, the Provost, Fellow, and Scholars of the College by *Dublin*, are all omitted; the Reason was this, Mr. *Cogblan* served as one of the Burgesses for the College; the House of Commons requir'd him to come into the House (for he had withdrawn himself from it, as we observed before, at the passing this Act) and to give in the Names of the absent Members of the College, that they might be put into the Bill: He demurr'd at first, but was over-rul'd; then upon Consultation with Doctor *Allen*, the Vice-Provost, he moved the House to send for the College Butler, alledging that he had the Buttery-Book, wherein the Names of the Collegians were in order, and without this he could not get them: The House hereupon ordered a Serjeant at Arms to be sent for the Butler, but he on Mr. *Cogblan's* intimation absconded for some days. The House was in haste to pass the Bill, and by this means the Collegians escaped an Attainder.

5. It was observable, that any Application made in behalf of Absentees by their Friends who staid, or were in the House, constantly made their Condition worse: The Application of Mr. *Henry Temple*, in behalf of his Brother Sir *John Temple*, removed him upwards into the first Rank of Attainted Persons; the like Petition had the same effect as to Mr. *Richard Warburton*, and so upon several others. The Papists did this to rid themselves of trouble and importunity, and to let the Protestants know that all their endeavours for themselves and Friends should do them no Service, and that their ruine was absolutely resolved on.

6. That

6. That their allowing Persons a certain time to come in and submit to Tryal to prove their Innocency, was a meer nothing: For they very well knew, that it was impossible any body should certainly know, what time was given each Man to come in; and it hath been a foolish venture for such as were absent, to come into a Place where, for ought they knew, they were already condemned, and should be immediately hang'd without a Trial. 2. No body knew what they could call Innocency; perhaps writing to, or petitioning any one that had King *William's* Commission, nay, conversing with such, might be reckoned corresponding with Rebels, and sufficient Evidence of their Guilt; and indeed Judge *Nugent* had in a manner determin'd this Case: For he interpreted one Mr. *Desminiers* answering a Bill of Exchange for Sir *Thomas Southwel*, who was Prisoner at *Galloway*, a corresponding with Rebels, and committed him to Gaol for it: He likewise put one Mr. *Ginnery* in Gaol for High Treason, because being Agent for the Prisoners at *Galloway*, to procure them a Reprieve and other Affairs, he received Letters from them, tho' Mr. *Ginnery's* Father and Brother were amongst them. 3. When this pretended Parliament pass'd this Act, they were very well aware that the Embargo here was so exceedingly strict, that from the time of passing the Act, till the first of *October*, nay of *November* following, which was the longest time allowed any one to come in, not one Ship or Boat was suffered to pass from hence into *England*; so that it was absolutely impossible the Persons concern'd in this Law, should have had any knowledge of it before they were Condemned by it, to the loss of Life and Estate, beyond the power of the King to Pardon them. 4. King *James* and his Parliament knew perfectly well, that the Embargo was so strict on the other side, that if the Gentlemen could have had Information, yet it was impossible for them to have gotten out of *England*, to tender themselves to Justice, within the time wherein the Act

required they should do it, on no less Penalty than the irrecoverable Forfeiture of Life and Estate: Which is a plain demonstration that the allowing time for the Attainted Persons to come in, and prove their Innocency, was a meer colour and had nothing of sincerity in it, since they themselves that made the Law were fully informed and satisfied that this was an impossible condition. 5. Suppose it had been possible, yet it had been a very unwise part of such Protestants as were safe in *England*, to have left it, and to have come into *Ireland*, a ruinous Kingdom, the actual seat of War, where all the Goods and Moveables they had left behind them, were Imbezell'd by Robbers, or by those that had seiz'd them for King *James*; and their real Estates given away to such as were Descendents of their Fathers Murderers, or at least had been in that Rebellion; where they must abide a Trial before Judges and Juries of profest Enemies, whether their Lives should be their own; and after all, if acquitted, could have no other prospect of supporting themselves, but Begging amongst a People that had reduced them to this condition. These considerations were of such weight with all People, that they who were absent, were so far from thinking of a return, that on the contrary, Men of the best Estates, who had stayed here, wished themselves away, and many were content to leave all, and venture their Lives in little Boats to the Mercy of the Seas, in the depth of Winter; reckoning any thing safer and easier, than to stay under the Government, which had effectually destroyed all the Measures of right and wrong, and Condemned so many Gentlemen to the loss of all, without allowing them either the favour of being Tried, or so much as Heard.

4. I know it will be objected, that very few Protestants lost their Lives in *Ireland* under King *James*, notwithstanding all the severe Proclamations and Laws, and the apprehensions under which they lay of danger. But to this I answer; First, that when a full enquiry comes



comes to be made concerning those that were killed by the Souldiers, murthered in their Houses, executed by Martial Law, starv'd and famish'd in Gaols, and that perished by other Violences, the number will not be so small as is imagined. 2. It is to be considered that the *Irish* Papists lay under the strictest Obligations not to begin Acts of Cruelty; for the Murthers they had committed in the last Rebellion, were chiefly objected against them: They were sensible they had gained nothing by them, and that the Cruelty exercised in them, was the thing that especially rendred them odious, and lost them their Estates; and therefore they thought it the best way not to be too forward in the like Practices, till they were sure not to be call'd to an after-reckoning. They further consider'd, that many of their own Friends were Prisoners in the *North*; and that if they began with Examples of Cruelty on the Protestants who were in their Power, their Friends must expect the like from the Enemy in whose Hands they were. 'Twas this made them dismiss the poor People they had resolv'd to starve before *Derry*. And they were made believe, that not only the Prisoners would suffer, but that the Cruelties they exercised on the Protestants, would be revenged on all the *Roman* Catholicks in *England*. This was given out by some who understood King *James's* true Interest, and that he depended on some Protestants in *England* for succour and assistance, rather more than on the *Roman* Catholicks; now they knew very well that Murther is so hateful a thing, that if they once fell a massacring, it would shock many of their Friends in *England* and *Scotland*, from whom they expected great matters; and therefore they thought it their Interest to be as tender of Lives as they could; and even the Priests, when they encouraged them to rob their Protestant Neighbours, charged them not to kill them, assuring them that every thing else would be forgiven them. 3. The Protestants were extremely cautious not to give the least Offence; they walked so warily and prudently, that it was hardly pos-

sible to find any occasion against them; and they were so true to one another, and conversed so little with any of King *James's* Party, that it was as difficult to fix any thing on them, or to get any Information against them, tho' several Designs were laid against them, and several false Witnesses produc'd, as has been shewn; yet their Stories still destroyed themselves by their Improbabilities, inconsistency, and the notorious infamy of the Witnesses. 4. We had no Experiment of what would have been done with the attainted Absentees; for none of them run the hazard of a Trial; but we are sure no good could have been done them; for they could neither have been pardoned for Estate nor Life; and the best they could have expected, was to have been sent to some other Kingdom, as Sir *Thomas Southwell* was sent to *Scotland*, for there could have been no living for them in *Ireland*. 5. When any Protestant found himself obnoxious to the Government, or but fancied they had any thing to object against him, he got out of the Kingdom, or made his escape to the *North* as well as he could, and in the mean time absconded; many escaped hanging by these means, which otherwise in all probability had been executed.

Lastly, It was so much the Interest of King *James* in his Circumstances, to have been kind to the Protestants of *Ireland*, that we might rather have expected to have been courted than ill used by him; the whole support and maintenance of his Army in *Ireland* depended on them; they clothed, fed, armed and quartered them, (which they could not avoid doing with any safety to themselves, or indeed possibility of living,) and the Officers of the Army were so sensible of this, that when it was propos'd to turn all the Protestants out of the City of *Dublin*, one of them answer'd, That whenever they were turned out, the Army must go with them; for they could not be furnished with what they wanted, by others. And as it was King *James's* Interest to use them well upon the account of their being necessary to him

him in *Ireland*, so his Affairs in *England* and *Scotland* did more particularly require it; and he was forced to employ his Emiffaries there to give it out that he did so. Sir *Daniel Mac Daniel*, who came out of the Isles of *Scotland* to *Dublin* in Winter, 1689. and several Gentlemen of the Highlands with him, declared that their Ministers in the Pulpit had assured them, That the Protestants in *Ireland* lived under King *James* in the greatest freedom, quiet, and security, both as to their Properties and Religion; and that if their Country-men knew the truth of the matter, as they then found it here, they would never fight one stroak for him: And they seemed to stand amazed at what they saw, and could hardly believe their own Eyes. It is certain that King *James* had the like Instruments in *England*, as I have noted before; who forced down the World in Coffee-Houses and publick Places, that the Protestants in *Ireland* lived easie and happy under his Government; however, this shews how much it was really his Interest to have given his Protestant Subjects here no just cause of complaint; and that it must proceed from a strange eagerness to destroy them, that King *James* and his Party ventured in their Circumstances to go so far in it as they did: Their own imminent danger dissuaded them from severity, and their Interest manifestly obliged them to mildness: And if notwithstanding these, they condemned near Three thousand of the most eminent Gentlemen, Citizens, Clergymen, and Nobility of the Kingdom to death, and loss of Estates; we may easily guess what they would have done when their Fear and Interest were removed, and they left to the swing of their own natural Inclinations, and the tendency of their Principles. Whosoever considers all Circumstances, will conclude, that no less was design'd by them, than the execution of the third Chapter of the *Lateran* Council, the utter extirpation of the Hereticks of these Kingdoms.

## S E C T. XIV.

Ninthly, *Shewing King James's Methods for destroying the Protestant Religion.*

1. **T**He design against the Lives and Fortunes of the Protestants is so apparent from the execution thereof, especially by the Acts of the late pretended Parliament, that they themselves can hardly deny it; nay, some were apt to glory in it: And to let us know that it was not a late design, taken up since the revolt of *England* (as they call it) from King *James*, they thought fit to settle on the Duke of *Tyrconnel* above Twenty thousand Pounds *per Annum* in value, out of the Estates of some Protestant Gentlemen attainted by them, as aforesaid, in consideration of his  
*See Appendix, N. 3, 4. & 17.* signal Service of Twenty Years, which he spent in contriving this Work, and bringing it to pass, as one of their most eminent Members exprest it in his Speech in Parliament, and the particular Act which vests this Estate in him shews.

2. But it may be thought that King *James* was more tender in the matter of Religion; and that he who gloried so much in his Resolution to settle *Liberty of Conscience where-ever he had Power*, as he told his pretended Parliament, and set forth almost in every Proclamation, would never have made any open Invasion on the Consciences of his Protestant Subjects. But they found by Experience that a Papist, whatever he professes, is but an ill Guardian of Liberty of Conscience: And that the same Religion that obliged the King of *Spain* to set up an Inquisition, could not long endure the King of *England* to maintain Liberty. If indeed King *James* had prevail'd with *Italy* or *Spain* to have tolerated the open Exercise of the Protestant Religion, it had been, I believe, a convincing Argument to *England* to have

have granted Roman Catholicks Liberty in these Dominions ; but whilst the Inquisition is kept up to the height in those Countries, and worse than an Inquisition in *France*, against the publick Edicts and Laws of the Kingdom, and against the solemn Oath and Faith of the King, it is too gross to go about to perswade us, that we might expect a free exercise of our Religion, any other way than the Protestants enjoy it in *France*, ( that is, under the Discipline of Dragoons,) after the Papists had gotten the Arms, the Offices, the Estates, and Courts of Judicature into their Hands.

3. The Protestant Religion and Clergy were established in *Ireland* by as firm Laws as the Properties of the Laity: The King by his Coronation Oath was obliged to maintain them : Their Tithes and Benefices were their Free-holds ; and their Privileges and Jurisdiction were settled and confirmed to them by the known and current Laws of the Kingdom ; according to which the King was obliged to govern them, and whereof he was the Guardian. The Clergy had beside all this, peculiar Obligations on him, and a Title to his Protection ; for they had espous'd his Interest most cordially. Whilst Duke of *York*, they used their utmost diligence to perswade the People to submit to Gods Providence, and be content with his Succession to the Crown, in case his Brother dyed before him : And they prest that point so far, that many of their People were dissatisfied with them, and told them often with heat and concern, what reward they must expect for their pains if ever he came to the Throne: They saw their danger, but could not imagine any Man would be so unpolitick and ungrateful as to destroy such as had brought him to the Throne, and could only keep him safe in it ; and therefore they ventured all to serve him ; and many of them by their Zeal for him, lost the Affections of their People, and their Interest with them. It was chiefly due to their diligence and care, that his Title, from the beginning, met not the least opposition in *Ireland*, tho' the Army

in it were intirely Protestant. Had they and the rest of the Protestants in this Kingdom been in any measure disloyally principled in the time of *Monmouth* and *Argile's* Rebellion, they might easily have made an Insurrection more dangerous than both those; and the least Mutiny or revolt amongst them, could hardly have failed to have ruined King *James's* Affairs at that critical time: But they were so far from attempting any such thing, that they were as ready and as zealous to assist him, as his very Guards at *Whitehall*; which he himself could not but acknowledge: How he rewarded them I have already shewn; and how grateful he was to the Clergy that thus principled them, will appear by the Sequel.

4. First, Therefore when His Majesty came to the Crown he declared that he would protect the Church of *England* in her Government and Privileges; under which we suppos'd the Church of *Ireland* to be concluded: And accordingly the Clergy and People of this Kingdom returned His Majesty their Address of Thanks; though they very well knew that this was no more than was due to them by the Luws, and by the King's Coronation Oath in particular: But they were soon told by the Roman Catholicks, that His Majesty did not intend to include *Ireland* in that Declaration; and that it *must be a Catholick Kingdom*, as they term'd it. Every discerning Protestant soon found by the method they saw His Majesty take, that he in earnest intended to settle Popery in *England*, as well as *Ireland*; but he thought himself so sure of effecting it suddenly in *Ireland*, that his Instruments made no scruple to declare their Intentions; nay, they were so hasty to ruin our Religion, that they did not so much as consult their own Safety; but even before it was either seasonable or safe, in the opinion of the wiser sort amongst themselves, they began openly to apply all their Arts and Engines to effect it. 1. By hindring the Succession and Supplies of Clergy-men. 2. By taking away their maintenance

tenance. 3. By weakning, and then invading their Jurisdiction. 4. By seizing on their Churches, and hindring their Religious Assemblies. 5. By violence against their Persons. And 6. By slandering and misrepresenting them and their Principles.

## S E C T. XV.

*First, King James, in order to destroy the Protestant Religion, hindred the Education and Succession of Clergy-men.*

1. **T**HE Good and support of Religion doth very much depend on the educating and principling Youth in Schools and Universities; and the Law had taken special care, that these should be in the hands of *English Men* and Protestants; and the better to secure them, the Nomination of the Schoolmasters in every Diocese, except four, is by a particular Act of Parliament lodged in 12 Eliz. Chap. 1. the Lord Lieutenant, or Chief Governour for the time being. The Clergy of each Diocese, by the Act, are obliged to maintain a Schoolmaster; and his Qualifications are described in the Act. But when the Earl of Tyrconnel came to the Government, he took no notice of those Laws; but when any School became void, he either left it unsupplied, or put a Papist into it. And in the mean time great care was taken to discourage such Protestant Schoolmasters as remain'd, and to set up Popish Schools in opposition to them. Thus they dealt with the School of *Kilkenny*, founded and endowed by the charitable Piety of the late Duke of *Ormond*; they set up a Jesuits School in the Town, and procured them a Charter for a College there; they drove away the Protestant Schoolmaster, Doctor *Hinton*, who had officiated in it with great industry and success, and seiz'd on the Schoolhouse, commonly call'd the College, and converted it to an Hospital for their Soldiers. Thus in a few years



years they would not have left one publick School in the hands of a Protestant for the Education of their Youth.

2. There is but one University in *Ireland*, and there is a Clause in the Statutes thereof that gives the King Power to dispense with the said Statutes: It was founded by Queen *Elizabeth*; and certainly never designed by her, or her Successors, to be converted against the fundamental Design of its Institution, into a Seminary of Popery: Yet advantage was taken of this Clause (though we had reason to believe it would have been done if there had been no such Clause) to put in Popish Fellows, as soon as the Fellowships became vacant; one *Doyle* a Convert was the first who was named; a Person of so exceedingly lewd and vicious a Conversation, (as was fully prov'd before the Lord *Tyrconnel*) and of so little Sense or Learning, that it seemed impossible that any Government should have countenanced such a Man; yet this did not much weigh with his Excellency; and therefore the College insisted upon another Point; the Dispensation that *Doyle* had gotten, through his ignorance was not for his purpose; for it required in express Terms, that he should take the Oath of a Fellow, and that Oath includes in it the Oath of Supremacy; the Provost tendred it to him, but he durst not take it, for fear of disobliging his own Party. Upon this they refused to admit him; he insists on his Claim, and complains to the Lord Deputy: Upon an hearing, Justice *Nugent*, Baron *Rice*, and the Attorney-General, supplied the Place of Advocates for him; but the Case was so plain, that even Justice *Nugent* had not the confidence to deny the insufficiency of his Dispensation; and therefore they ordered him to get another. But to be even with the College for demurring on the King's Mandate, they stopt the Money due to it out of the Exchequer.

3. The

3. The Foundation consists of a Provost, seven senior, and nine junior Fellows, and seventy Scholars; these are partly maintained by a Pension out of the Exchequer of 388 *l. per Annum*; this Pension the Earl of Tyrconnel stopt from Easter, 1688. and could not be prevail'd with by any intercession or intreaties to grant his Warrant after the time for it; by which means he in effect dissolved the Foundation, and stopt the Fountains of Learning and of Religion. This appear'd to have been his design more plainly afterwards; for King James and his Party not content to take their maintenance from them, proceeded and turned out the Vice-Provost, Fellows and Scholars; seiz'd upon the Furniture, Books, and publick Library, together with the Chappel, Communion-Plate, and all things belonging to the College, or to the private Fellows or Scholars; notwithstanding that when they waited on him, upon his first arrival in *Dublin*, he promised, *That he would preserve them in their Liberties and Properties, and rather augment than diminish the Priviledges and Immunities granted to them by his Predecessors.* In the House they placed a Popish Garison, turn'd the Chappel into a Magazine, and many of the Chambers into Prisons for Protestants; the Garison destroyed the Doors, Wainscots, Closets, and Floors, and damnified it in the Building and Furniture of private Rooms, to at least the value of Two thousand Pound. One Doctor Moore, a Popish Priest, was nominated Provost; one Mac-Carty Library Keeper, and the whole designed for them and others of their Fraternity.

4. It is observable, that there was not the least Colour or Pretence of Law for this Violence, nor could they give the least Reason in Law or Equity for their proceeding, except the necessity of destroying of the Protestant Seminaries of Learning, in order to destroy their Religion: This made them so eager against the Collegians, that they were not content to turn them, without Process or Colour of Law, out of their Free-holds,  
but

but they sent a Guard after them, to seize and apprehend their Persons; and it cost the Bishop of *Meath*, their Vice-Chancellor, all his Cunning and Interest, with the Governour *Lutterell*, to prevent their Imprisonment. With much ado he was prevail'd on to let them enjoy their Liberties; but with this Condition, that on pain of death no Three of them should meet together. So solicitous were they to prevent the Education of Protestants under Persons of the same Profession, and that there might be none to succeed the present Clergy.

5. With the same design they hindred the succession of Bishops and inferiour Clergy-men, into the room of those that died or were removed; the Support of Religion (as is well known) depends very much on the choice and settling of able and fit Persons in Vacancies; and it so happened, that partly by the uncertainty of Estates, partly by frequent Forfeitures to the King, partly by the grasping of the Prerogative and other Accidents, most of the considerable Preferments and Benefices of the Church were in the disposal of the Crown; there are very few Livings in *Ireland* in the Presentation of Lay-Patrons, but they either belong to the King, or the Bishops. The Bishopricks are all in the King; and all the Livings in the Bishops Patronage, are in the Vacancy of the Bishoprick, likewise the King's. This is a great Trust, and the King is bound to dispose of it for the good of the Church: But King *James* plainly designed, by the means of his Trust, to destroy the Church that had intrusted him: For instead of giving the Preferments, as they fell, to good and able Men, who might preserve and maintain the Interest of their Religion, he seiz'd them into his own hand, had the Profits of them return'd into the Exchequer, and let the Cures lie neglected. The Archbishoprick of *Cashell*, the Bishopricks of *Clogher*, of *Elphin*, and of *Clonsfert*, were thus seiz'd, with many inferiour Livings, and the Money received out of them, disposed to the maintenance of Popish Bishops and Priests,

Priests, directly against the Laws and Constitutions of the Kingdom.

6. At this rate in a few years all the Preferments and Livings of the Kingdom of any value must have fallen into the King's hands; and we must have expected to have seen them thus disposed of; for as many as fell after King *James's* time, were put to this use; and we were assured by the Popish Priests, That all the rest as they became vacant, were design'd to the same purpose; and they were so unreasonable, that though both Law and Justice allow a competency for serving the Cure, whilst a Living upon any account whatsoever is in the King's hand, yet the Commissioners of the Revenue, and Barons of the Exchequer, would allow nothing; the Bishop of *Meath* made an Experiment of this: Some Livings in his Diocese, upon the Death of one Mr. *Duddle* the Incumbent, were seiz'd by the Commissioners of the Revenue, being in the King's Presentation; the Bishop did what was in his Power towards supplying the Cure, and, according to his Duty, appointed a Curate, assigning him a Salary according to the Canons, but the Commissioners would not allow him any thing; and though the Bishop endeavour'd it, and petitioned both the Commissioners and Barons of the Exchequer, yet he could never get any thing for the Curate. This was a Precedent, and the same was practis'd in all other Cases: All the Absentees Cures were in the same Condition; and though they yielded plentifully to King *James*, yet the Curates had no other maintenance, than the voluntary Contributions of the poor plunder'd Protestant Parishioners, who were forced to pay their Tythes either to King *James's* Commissioners, or to Popish Priests, who had Grants of them.

See the Appendix, *Monk's Scheme in his Letter*, N. 17.

7. This was an effectual, though a slow way, of putting an end to the Ministry; at least to deprive them of all legal Title to Preferments; for the Bishops being

ing most of them old, would soon have dropt off; and King *James* was resolved to have named no more, and so the legal Successions of Bishops must in a short time have ceased, and all the Livings depending on them, must likewise have gone in course to maintain Popish Priests; that is, all the Deanries, Dignitaries, and most others Benefices.

8. The Papists upbraided us with our want of Power, and seem'd to laugh at the Snare into which we were fallen by means of our Popish King; not considering that this proceeded from a manifest Breach of Trust and Faith in him; and that the Case is the same in all Trusts, if the Trustees prove faithless; and even in all Popish Countries, the Kings have the nomination of Bishops, as well as in *England*, and that the Succession of Bishops had almost lately fail'd in *Portugal*, upon some difference between the King and Pope; and the Advocate-General of *France*, Mr. *Dennis Tallon*, tells us, in 1688. that Thirty five Bishopricks (being about a third part of the whole Number) were vacant in that Kingdom on the

*See the Proceeding of the Parliament of Paris, upon the Pope's Bull, Printed at London, 1688. P. 5.*

same account: And 'tis like more are vacant since. It is true, the Church has power to nominate Bishops, without the Consent of the Civil Magistrate; but then they must not expect the Temporalities, which are the Gifts or Grants of Kings, and such Bishops and Clergy must entirely depend on the voluntary Contributions of their People for their Maintenance, and on their voluntary submission for their Jurisdiction: And here the Protestant Clergy had the greatest reason in the World to complain of King *James*; to set him on the Throne, the Clergy disoblged many of their People, and he in requital deprived them of all other worldly Support or Power, besides what must depend on the free choice of those very People, whom for his sake they had not only disoblged, but likewise help'd to bring under many Inconveniences.

SECT.

## S E C T. XVI.

Secondly, King James took away the maintenance of the present Protestant Clergy.

1. **B**UT King James did not only endeavour to hinder the Education and Succession of the Protestant Clergy, but he likewise took away all their present maintenance. Immediately upon his coming to the Crown, their Popish Parishioners began to deny the payment of Book-Moneys, which is a considerable part of the Ecclesiastical Revenue of *Ireland*; a great part of the Tithes of *Ireland* are impropriate; in some Places the whole Tithes, in many Two third Parts, and in most the one half; and there is little left for the Vicar that serves the Cure, except it be the Third part of the Tithes, or the small Fees due out of Burials, Marriages, or *Easter-Offerings*; these Dues are call'd commonly Book-Moneys; and tho' very inconsiderable in themselves, yet make a great part, and in some Places the whole of what falls to the Vicar's portion; against these the Popish Judges declared in their Circuits; and by their encouragement most People, and the Papists universally denied to pay them.

2. The Priests began to declare that the Tithes belonged to them, and forbad their People to pay them to the Protestant Clergy; with this the People complied willingly; and for Two years before the late Revolution in *England*, hardly any Tithes were recovered by the Clergy; or if any were recovered, it was with so much difficulty and cost, that they turn'd to very little account.

3. They pass an Act in their pretended Parliament, whereby they took away all Tithes that were payable by Papists; and gave them to their own Popish Priests; and allow'd them to bring an Action for them at the Common Law, to make the recovery of them more easie;

ease; and yet denied this to the Protestant Clergy; alledging that they allow'd them still their old means of recovering their Tithes; and therefore did them no injury. But this was as good as nothing; for they had so weaken'd the Ecclesiastical Power and Jurisdiction, that it was incapable of compelling the People to obedience; and it being necessary to sue out a *Writ de excommunicato capiendo*, in order to force such as were refractory, the Popish Chancellor either directly refused to grant the Writ, or else laid so many impediments and delays in the way, that it cost double the Value of the Tithes sued for, to take it out.

4. Tho' they rendred the Protestant Clergy incapable of enjoying the Tithes of Roman Catholicks, yet the Popish Clergy were made capable of enjoying the Protestant Tithes: The Case then was thus; if a Protestant had a Bishoprick, Dignity, or other Living, by the new Act, he must not demand any Tithes or Ecclesiastical Dues from any Roman Catholick; and as soon as his Preferment became void by his Death, cession, or absence, a Popish Bishop, &c. was put into the Place; and by their Act, there needed no more to oblige all Men, *To repute, take, and deem a Man to be a Roman Catholick Bishop or Dean of any Place, than the King's signifying him to be so, under his Privy Signet and Sign Manual*; a Power that the Protestants, how much soever they magnified the King's Authority, never trusted any King with, nor other Mortal Men whatsoever. But as soon as any one became thus Entitled to a Bishoprick, &c. immediately all the Tithes, as well of Protestants as of Papists, became due to him, with all the Glebes and Ecclesiastical Dues; and for the recovery of them he had an Action at Common Law.

5. Notwithstanding the Glebes and Protestant Tithes were not given to the Popish Clergy, during the incumbency of the present Protestant Incumbents; yet the Popish Priests by violence entred on the Glebes where there were any, pretending that the King had nothing

*Continued*



nothing to do with them, and that neither he or his Parliament could hinder the Church of her Rights; and this Pretence was so far countenanced, that no endeavours whatsoever could get any of these Priests out, when once he had gotten possession. The Truth is, hardly one Parish in ten in the Provinces of *Leinster*, *Munster*, or *Connaught*, have any Glebe left them; for either they were never endowed, or if they had been at any time endowed with Glebes, the many Confusions and new Dispositions of Lands have made them to be forgotten, or swallowed up in the Hands of some powerful Parishioners. The pretence therefore of the Parliament, that they had been kind to the Protestant Clergy, in leaving them the Glebes, was a meer piece of Hypocrisie; since they knew that generally Parishes had no Glebes; and that where they had Glebes, the Priests would make a shift to get into possession of them, without being given to them by the Parliament.

6. The same may be said of their leaving some of the Tithes belonging to Protestants, for the present, to their own Clergy. They had so robb'd and plundered the Protestants of the Country, that few lived or had any thing Tithable in it; being forced for their own safety to flee to the Towns, and leave their Farms waste; if any had Tithes, they might pay them if they pleased, or let it alone, for they had left the Protestant Clergy, as I shew'd before, no way of recovering their Dues. Many times the Priests came with a Company of the next quarter'd Dragoons, and took the Tithes away by force; and this past for a Possession of the Livings, and the Protestant Ministers must bring their Leases of Ejectment, if they would recover their Possessions, or pretend any more to Tithes in those Livings. There is a Custom in *Ireland* whereby some Farmers do agree with their Neighbours to plow their Lands for them, on Condition that they afford them a certain quantity of Corn, suppose an Half, one Third, or

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one Fourth, after it is reaped. Now Protestants that had Farms in the Country, being in no capacity to plow them after their Horses were taken away, and their Houses robb'd, agreed with their Popish Neighbours to plow their Lands for them, according to the Custom of the Country; this was enough to Entitle Priests to the Tithes of Lands so plowed; and accordingly they seiz'd upon them by force; tho' both the Land and Corn belong'd to Protestants; by these and other such Contrivances, from the year 1686, till King *James's* Power was put to an end by the Victory at the *Boyn*, hardly any Protestant enjoy'd any Tithes in the Country; all which was represented to the Government, but to no purpose.

7. In Corporate Towns and Cities, there was a peculiar Provision made for Ministers by A&t of Parliament, in King *Charles* the Second's Time; by which A&t, the Houses in those Places were to be valued by Commissioners at a moderate value; and the Lord Lieutenant or chief Governour, for the time being, did assign a certain Proportion for the Ministers maintenance, not greater than the Twentieth part of the yearly value, return'd by the Commissioners. That therefore the City Protestant Clergy might not be in a better condition than those in the Country, an A&t was past in their pretended Parliament, to take away this altogether; the Clergy of *Dublin* desir'd to be heard concerning this A&t at the Bar of the House of Lords before it past, and their Council were admitted to speak to it, who shew'd the unreasonableness and injustice of it so evidently, and insisted so boldly on King *James's* Promise to the Protestant Clergy, at his first arrival in this Kingdom, when he gave them the greatest assurances of maintaining them in their Rights and Privileges; and further, bid them, if aggriev'd in any thing, to make their Complaints immediately to him, and engaged to see them redrest, that he seemed to be satisfied, and the House of Lords with him; yet the design

to ruine them, was so fix'd, that without offering any thing by way of Answer to the Reasons urged against it, the Act pass'd; and thereby left the Clergy of the Cities and Corporate Towns, without any pretence to a Maintenance, except they could get it from the voluntary Contributions of their People; nay, so malicious were they against the Protestant Clergy, that they cut off the Arrears due to them, as well as the growing Rent; having left no means to recover them, as appear'd upon Tryal at the Council-Board afterward, when some of the Clergy petitioned for relief therein.

8. Upon the Plantation of *Ulster*, 1625. there was a Table of Tithes agreed on by the King and Council; and the Planters, to whom the Grants were made by the King, obliged to pay Tithes according to that Table; the pretended Parliament took away this Table also; for no other Reason that we could learn, but because most of the Inhabitants of *Ulster* were Protestants, and consequently the Protestant Clergy would pretend to them.

9. The Livings of *Ireland* were valued by Commissions in *Henry* the VIII. and *Queen Elizabeth's* time; and paid First-Fruits and Twentieth Parts, according to that valuation; other Livings were held in Farm from the Crown, and paid yearly a considerable reserved Rent, commonly call'd Crown-Rents; others appertain'd to the Lord-Lieutenant, and other Officers of State, and paid a certain Rate of Corn for their use, commonly call'd *Port-Corn*. Now all these Payments were exacted from the Protestant Clergy, notwithstanding the greatest part of their Tithes were taken from them: The remaining part, (where any remained) was seiz'd in many places, by the Commissioners of the Revenue, and a *Custodiam* granted of it for the King's use, for the payment of the Duties which accru'd out of the whole, and not one Farthing allow'd for the Incumbent, or the Curate: Nay, in some places, they seized the Incumbent's

Person, and laid him in Gaol till he paid these Duties, tho' at the same time they had seized his Livings, and found that they were not sufficient to answer what they exacted; and because the Clerk of the First-Fruits, Lieutenant-Colonel *Roger Moore*, being a Protestant himself, would not be severe with the Clergy, and seize their Livings and Persons, to force them to pay what he knew they were not in a capacity to do, they found pretence to seize his Person, and sent him with three Files of Musquetiers Prisoner to the Castle of *Dublin*, where he had two Gentlemen more lay in a cold nasty Garret for some Months. By these Contrivances, the few Benefices yet in the hands of the Protestants, instead of a Support, became a Burthen to them; and they were forced to cast themselves for a maintenance on the kindness of their People, who were themselves undone and beggar'd.

#### S E C T. XVII.

Thirdly, *King James took away the Jurisdiction of the Church from Protestants.*

I. **I**T is impossible any Society should subsist without a power of rewarding and punishing its Members; now Christ left no other Power to his Church, but what is purely Spiritual; nor can the Governours of the Church any other way punish their Refractory Subjects, but by refusing them the Benefits of their Society, the Administration of the Word and Sacraments, and the other Spiritual Offices annexed by Christ to the Ministerial Function. But Kings and States have become Nurturing Fathers to the Church, and lent their Temporal Power to second her Spiritual Censures. The Jurisdiction therefore of the Clergy, so far as it has any Temporal effect on the Bodies or Estates of Men, is entirely derived from the Favour of States and Princes, and acknowledged to be so in the Oath of Supremacy.

premacý. However, this is now become a right of the Clergy, by ancient Laws through all Christendom; and to take it away, after so long continuance, must needs be a great blow to Religion, and of worse consequence than if the Church had never possessed it; yet this was actually done by King *James* to the Protestant Clergy; and is a plain sign that he intended to destroy their Religion, when he depriv'd them of their support.

2. For first he pass'd an Act of Parliament, whereby he exempted all that dissented from our Church, from the Jurisdiction thereof; and a man needed no more to free him from all Punishment for his Misdemeanors, tho' only cognizable and punishable in the Ecclesiastical Courts, than to profess himself a Dissenter, or that it was against his Conscience to submit to the Jurisdiction of our Church: Nay, at the first, the Act was so drawn, and past the House of Commons, that no Protestant Bishop could pretend to any Jurisdiction even over his own Clergy; but that, and several other passages in the Common's Bills, were so little pleasing to some who understood the King's Interest, that Sir *Edward Herbert* was employed by King *James* to amend the Act for the House of Lords; which he did in the form it is now in; nothing of the Common's Bill being left in it, but the word *Whereas*; tho' after all, it effectually destroyed the Jurisdiction of the Church.

3. But, Secondly, in most places there was no Protestant Bishop left; and consequently the Popish Bishop was to succeed to the Jurisdiction, they being by another Act invested in Bishopricks, as soon as they could procure King *James's* Certificate under his Privy Signer, that they were Archbishops or Bishops; all incapacities, by reason of their Religion, by any Statute or Law whatsoever, being taken off. There were already vacant in *Ireland*, one Archbishoprick and three Bishopricks; they had attainted Two of the surviving Archbishops, and Seven Bishops, so that they had already the Jurisdiction of  $\frac{3}{4}$  of the Kingdom by a Law of their own making,

making, secured into the hands of Papists; and the rest were quickly to follow.

4. But, Thirdly, where any shadow of Jurisdiction remained with the Protestant Clergy, they rendred it insignificant, by encouraging the most Obstinate and Perverse Sectaries, and by shewing them Favour according as they were most opposite and refractory to all Ecclesiastical Discipline, and paying their Dues to the Clergy: This may be supposed one reason of their peculiar Fondness of Quakers, and that it was upon this account chiefly they made them Burgeesses or Aldermen in their new Corporations, and reckoned them as most useful Tools to pull down the Discipline of the Church; tho' their Tithes were not given away to the Popish Priests, yet there was no way left for the Protestant Clergy to recover them, they being exempted from their Jurisdiction; and from the very beginning of King *James's* Reign, they so ordered the matter, that Quakers were generally exempted from paying Tithes; which at last became a more sensible loss to the Protestant Clergy, because these were the only People that call'd themselves Protestants, who had any thing left them out of which Tithes were due.

5. 'Twas on the same account that lewd and debauch'd Converts were encouraged amongst them; and a Man needed no more to escape the Censures and Punishments due to his Crimes, but to profess himself reconcil'd; upon which, all Proceedings against him must immediately cease. Thus many lewd Women turn'd Converts, and continued their Wickedness without fear of the Ecclesiastical Judge.

6. If at any time a Bishop went about to correct a scandalous Clergy-man, the King's Courts immediately interpos'd, and granted Prohibitions, tho' the matter did not bear one. They knew it must put the Bishop to much pains and costs to have it removed, and they were in hopes to weary him out before he could get a Con-

Consultation : And so zealous were the Popish Lawyers to protect a Scandalous Minister against his Bishop, that they would of their own accord, *gratis*, plead his Cause ; they thought it Fee enough to weaken the Jurisdiction of a Protestant Bishop, and to do a mischief to our Religion, by keeping in a wicked Scandalous Clergy-man, to be a Reproach to it. One Mr. *Ross* was prosecuted by his Bishop for very lewd and notorious Crimes ; but the King's Judges interpos'd, and Sergeant *Dillon*, then prime Sergeant, pleaded his Cause *gratis*, against the Bishop of *Kilmore*, who prosecuted him. If any Clergy-man turn'd Papist, as we have reason to thank God that very few did, whatever his Motives of Conversion were, he was sure to keep his Livings by a Dispensation, and to be exempted from the Power of his Bishop.

7. King *James*, by an Order under his Privy-Signer, took on him to appoint Chancellors to exercise Jurisdiction over Protestants. Thus he appointed one *Gordon*, who called himself Bishop of *Galloway* in *Scotland*, to be Chancellor in the Diocese of *Dublin* : This *Gordon* was a very ignorant lewd Man, and a profest Papist ; yet he took on him by virtue of King *James's* Mandate, to exercise Ecclesiastical Jurisdiction over the Protestants of the Diocese, to grant Licenses for Marriages, Administrations of Wills, and to cite and Excommunicate whom he pleased. But the Clergy refus'd to submit to him, or to denounce his Excommunications ; which obliged him to let that part of his Jurisdiction fall : But as to the other part that concern'd Wills, he made his advantage of it, he cited the Widow or Relation of any deceased Person ; and if they refused to appear, he granted Administrations to some of his own Creatures, and they came by force and took away the Goods of the Defunct. It is incredible what wicked brutish things, he, with a parcel of ill Men he got to act with him, did on this pretence ; and how he oppress'd and squeez'd the Widows and



Orphans, the poor People not being strong enough to oppose him and the Crew he employed: For Force was all the Right he could pretend; it being notorious, that in the Vacancy of the Archbishoprick, or in his Absence, when he cannot have intercourse with his Diocess, the Jurisdiction devolveth to the Dean and Chapter, as Guardians of the Spiritualities; and they, notwithstanding the difficulty of the Times, and danger they were in, chose the Right Reverend the Bishop of *Meath* to administer the Jurisdiction; which he did with all the meekness, modesty and diligence that is peculiar to him; tho' he could not hinder the fore-mentioned *Gordon's* Encroachments, as to Administrations of Wills and Testaments. In short, King *James*, by virtue of his Supremacy, claim'd a despotick Power over the Church, and pretended that he might do what he pleas'd as to matter of Jurisdiction; tho' his Ecclesiastical Supremacy no more entituled him to encroach on the Liberties and Privileges of the Church, than his Civil entituled him to dispose of the Civil Rights of the Subjects of his Kingdoms. He had indeed taken away the Oath of Supremacy by an Act of his pretended Parliament; but yet he would not disown the Power vested in him by it, tho' the Papists would have had him renounce it expressly: But he answer'd, That he did not claim any Ecclesiastical Authority over his Roman Catholick Subjects, nor pretended to be Supream in their Church in his Dominions, but only over the Protestants: The Mystery of which was plainly this; He foresaw that the Ecclesiastical Authority, which is settled by the Laws, and trusted in the Crown, as he could abuse it, might be a means to destroy the Protestant Religion, and to hinder the exercise of Ecclesiastical Discipline, and therefore was resolved not to part with it; not considering that such a manifest and designed abuse of a Trust, in direct opposition to, and destruction of the End for which it was granted to him, was a provoking

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Temptation to his People, on the first opportunity that offered, to think of transferring it to some other person, that would administer it with more faithfulness, according to the design for which it was granted.

8. I might add as a Fifth means of destroying the Protestant Religion, and slackening Discipline; the universal Corruption of Manners that was encouraged at Court: I do not charge King *James* with this in his own Person, nor will I insinuate that he design'd it, tho' he took no care to redress it; but it look'd like a Design in some; and whether design'd or no, it serv'd the Ends of Popery more than easily can be imagined, and opened a wide Door for it. That Kingdom that is very corrupt in Morals and debauch'd, is in a very fair way to embrace that Persuasion; and generally their Profelytes were such as had renounced Christianity in their practice, before they renounc'd the principles thereof as taught in the Reformed Churches, and many Roman Catholics declar'd, that they would rather have had us profess no Religion at all than the *Protestant*. In short, whether it was from the looseness of the Principles of their Religion, or from a design to gain on *Protestants*, Impiety, Prophaneness and Libertinism were highly encouraged and favoured; and it was observable, that very few came with King *James* into *Ireland*, that were remarkable for any strictness or severity of Life; but rather on the other hand, they were generally signal for their viciousness and looseness of their Morals. Sir *Thomas Hacket* confess'd, that in the whole Year 1688. wherein he was Mayor of *Dublin*, there was not one *Protestant* brought before him for Theft, and hardly one for any other Immorality; whereas he was croud'd with Popish Criminals of all sorts: The Perjuries in the Courts; the Robberies in the Country; the lewd practices in the Stews; the Oaths, Blasphemies and Curses in the Armies and Streets; the drinking of Confusions and Damnations in the Taverns, were all of them generally the acts of Papists, or of those

those who own'd themselves ready to become such, if that Party continued uppermost. But more peculiarly they were remarkable for their Swearing and Blaspheming, and Prophanation of the Lord's Day: If they had any signal Ball or Entertainment to make, any Journey or weighty business to begin, they commonly chose that day for it, and look'd on it as a kind of Conquest over a Protestant, and a step to his Conversion, if they could engage him to prophane it with them. This universal Viciousness made Discipline impossible; and whatever Protestants were infected with it, were intirely lost to the Church and their Religion: For the stress of Salvation, according to the Principles of the Reformed Religion, depends on Vertue and Holiness of Life, without which neither sorrow for Sin nor Devotion will do a Man any Service; whereas he that hears Mass daily in the Roman Church, kneels often before a Crucifix, and believes firmly that the Roman Church is the Catholick, and that all out of her Communion are damned, makes not the least doubt of Salvation, tho' he be guilty of habitual Swearing, Drunkenness, and many other Vices; and the observation of this Indulgence gained them most of those Proselytes that went over to them, of the Lewd Women and Corrupted Gentry; and many amongst themselves had so great a sense of this advantage, that it made them very favourable to Debauchery, and openly profess, That they had a much better Opinion of the Lewdest Persons that died in their own Communion, than of the strictest and most devout Protestant; and they would often laugh at our scrupling a Sin, and our constancy at Prayers, since, as they would assure us with many Oaths, we must only be Damned the deeper for our Diligence: And they could not endure to find us go about to punish Vice in our own Members, since, said they, *It is to no purpose to trouble your selves about Vice or Vertue, that are out of the Church, and will all be Damned.*

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## S E C T. XVIII.

Fourthly, *King James and his Party, in order to destroy the Protestant Religion, took away the Protestants Churches, and hindred their Religious Assemblies.*

I. **T**Owards the beginning of these Troubles, the Papists boasted much of their Kindness to the Protestant Clergy, in leaving them their Churches. They thought us very unreasonable, to complain of our being robb'd or plunder'd, or of the loss of our Estates, whilst our Churches were left us; and they would not own that they had done any injury to our Ministers, whilst they had not turn'd them out of those. This was urged upon all occasions, as an unanswerable Argument that King *James* intended in earnest to preserve inviolably that Liberty of Conscience he had promised; but this was, as all their other Promises, a meer pretence: The Priests told us from the beginning, that they would have our Churches, and that they would have Mass in *Christ-Church*, the Chief Cathedral in *Dublin*, in a very little time; we knew well enough that this was intended, whatever King *James* and his Ministers averr'd to the contrary: For the same Act of Parliament that they had pass'd to make their Priests and Bishops capable of Preferments and Benefices, did also give them a legal Title to the Churches belonging to those Preferments, as they who drew the Act very well knew: In the mean time their Affairs were not in such a forward posture, as to encourage them to seize on those Churches to which they could pretend no Right, though some had been seized before the Act passed.

2. But immediately upon the passing of the Act, Duke *Schonberg's* Landing alarm'd them; and they were in so great fear of him, that they rather thought of running into *Munster*, or leaving the Kingdom, than  
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of possessing Churches. And therefore they contented themselves with their former Methods for some time, which was to let the Rabble break into them, and deface them, with barbarous and contumelious Circumstances, breaking the Windows, pulling up the Seats, and throwing down the Pulpit, Communion-Table, and Rails, and stealing what was portable out of them. An instance

of this sort, and a remarkable Accident upon it, of undoubted Credit, I have put in the Appendix. In

some Churches in the Diocese of *Dublin*, they hung up a Black Sheep in the Pulpit, and put some part of the Bible before it. In some places the *Creaghs*, a sort of wild Irish, that chose to fly out of the North at Duke *Schönberg's* landing, rather than stay to give an account of the Robberies and Insolencies that they had committed there, turn'd the Protestant Churches into Lodging-places, defacing and burning whatever was combustible in them.

3. And in *Dublin* the Government ordered the Churches several times to be seiz'd: First, the Earl of *Tyrconnel* fill'd them with Souldiers, *February 24. 1688.* in order to receive the Arms of Protestants; and they were kept, some for a longer, some for a shorter time, upon this Pretence: Then they ordered them to be seiz'd anew, *September 6. 1689.* pretending that the Protestants had hid their Arms in them; and I doubt not but that they had Affidavits, as they pretended, to this purpose, sufficient to induce them to search, but not to justify their committing such rudeness and barbarity as they did in them: For the Souldiers not only broke open the Monuments and Graves, but likewise the Coffins of the Dead, and tumbled out the Dead Bodies, and so left them expos'd, till they were pleas'd to let the Protestants come into the Churches again to bury them; though after all they found no Arms, nor indeed were there any hid. Thus far they proceeded whilst their Fear was upon them; resolving, since they could

could not hope to enjoy them themselves, that they would make them as useless as they could to Protestants: But when they found that Duke *Schonberg* stopt at *Dundalk*, and they understood the state of his Army, the Priests took Courage, and in the Months of *October* and *November*, they seized on most of the Churches in the Kingdom.

4. The manner of their doing it was thus. The Mayor, or Governour in the Towns, with the Priests, went to the Churches, sent for the Keys to the Sextons, and if they were found, forced them from them; if not, they broke upen the Doors, pull'd up the Seats and Reading-Desk; and having said Mass in them, look'd upon them as their own, and said, the King himself had then nothing to do with them, being consecrated places; and to alienate them, or give them back to Hereticks, was Sacrilege. In the Country, the Militia-Captains, or Officers of the Army that chanced to be quartered in the several places, performed the same part that the Mayors or Governours did in Corporations: Thus *Christ Church* in *Dublin* was seized by *Lutterel* the Governour, and about twenty six Churches and Chappels in the Diocess of *Dublin*.

5. Of this, Protestants complained to King *James*, as a great violation of his own Act for Liberty of Conscience, in which it is expressly provided, That they should have liberty to meet in such Churches, Chappels, and other places as they shall have for that purpose. They further represented to him, That all the Churches of *Ireland* were in a manner ruined in the late War in 1641. That it was with great difficulty and cost that the Protestants had new-built or repaired them: That many were built by private Persons on their own Cost; and that the *Roman Catholicks* had no Pretence or Title to them. But his Majesty answered, That they were seized in his absence at the Camp, without his knowledge or consent: That nevertheless he was so much obliged to his *Roman Catholick Clergy*, that he must not dispossess them;

them ; That they alledged a Title to the Churches that they had seized ; and if the Protestants thought their Title was better, they must bring their Action, and endeavour to recover their Possessions by Law.

6. This Answer was what the Attorney-General had suggested to him ; and the Reader will perceive that the whole was a piece of Deceit : That the pretence of the Churches being seized whilst his Majesty was absent, was a meer Collusion, and that there could not be a more false Suggestion, than that the Papists had any Right to the Churches, or a more unjust thing, than to put the Protestants on recovering a Possession by a Suit at Law, which was gotten from them by so open Violence : But this was the Justice we look'd for, and constantly met with from him ; and therefore there being no Remedy to be expected, we were forced to acquiesce.

7. Only to colour the matter a little, and lest this should make too great a noise in *England* and *Scotland*, where King *James* at this time had very encouraging Hopes, he issued out a Proclamation, *December* 13. 1689. in which he acknowledges, That the seizing of Churches was a violation of the Act for Liberty of Conscience ; yet doth not order any Restitution, only forbids them to seize any more. They had in many places notice of this Proclamation before it came out, and therefore were more diligent to get into the remaining Churches : For they look'd on the Proclamation as a Confirmation of their Possessions, which they had before the publishing of it ; and in some places the Popish Officers kept it from being published till they had done their Work : The Protestants not being allowed to go out of their Parishes, could not come by it, till it pleased their Popish Neighbours to produce it ; and so it prov'd, like other Proclamations of his Majesty in favour of his Protestant Subjects, it was not publish'd till the Inconveniency it pretended to prevent was brought upon them, and the Mischief actually executed ; and it made  
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their Enemies more hasty and diligent to do it, than otherwise they would have been, lest they should slip the time, and lose the opportunity.

8. But after all, some were too late, and the Protestants got sight of the Proclamation before their Churches were seiz'd: But here the Priests put off their Vizors, and acted bare-faced; they told the People, The King had nothing to do with them or their Churches; That they were immediately under the Pope, and that they would neither regard him nor his Proclamations or Laws made to the damage of Holy Church.

9. The Protestants had a mind to make an Experiment how far this would go, and whether the Priests or King would get the better: In order therefore to make the Trial, they chose out some Instances, in which the Violence and Injustice of turning them out of their Churches were most undeniable, and laid their Case before his Majesty and his Council by their Petitions; and that the Petitions might not be laid aside or lost, as was the common Custom to deal with Petitions and Affidavits, to which they were ashamed to return a flat Denial, they engaged some of the Privy-Council to espouse their Cause; and had the luck to gain several of the Popish Nobility to favour their Suits, especially of such as had Estates in *England*, and knew King James's true Interest and their own.

10. The Petitions of *Waterford* and *Wexford* were the most favourably received, and in spite of all the opposition that the Attorney General *Nagle*, or the Solicitor General, one *Butler*, who concern'd himself with singular Impudence against the Petitions, could make, they obtained an Order for restitution of these two Churches; the *Wexford* Petition sets forth the Loyalty of the Minister, the peaceableness of the People; their having contributed to the building of several Popish Chappels within and with-

See the Petition in  
the Appendix, N. 26,

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Record the Contents of the Volume in full

out the Walls of that Town, and that the Roman Catholics had no occasion for the Church: The reasonableness of this Petition was so manifest, that King James and his Council made an Order for the Restitution of the Church; but he now found how precariously he Reign'd in Ireland, (notwithstanding their mighty professions of Loyalty and absolute Subjection upon all Occasions, and more particularly in their Act of Recognition) for the Mayors and Officers refused to obey his Order.

11. Upon which he was importun'd by the Protestants with new Complaints; but being ashamed to own his want of Power to make good his former Order, he referr'd the *Waterford* Petition to the then Governor of that place, the Earl of *Tyrone*, who reported, That the Church of *Waterford* was a place of strength, and consequently not fit to be trusted into the Hands of Protestants; and so all they obtain'd by their Petition, Attendance and Charges, was to have their Church turn'd into a Garrison, instead of a Mass-House. This pretence could not be made for the Church of *Wexford*, it having no appearance of strength; and therefore the order for restoring it was renew'd, and the disobedient Mayor sent for and turn'd out, for which the Popish Clergy made him ample satisfaction: But notwithstanding that King James appear'd most zealous to have the Church restored, and express'd himself with more passion than was usual, That he would be obey'd; and tho' the Protestants concerned, solicited it with the utmost eagerness and diligence even to the hazard of their Lives, yet they could never procure the King and Council's Order for the restitution of their Church, to be executed or obeyed; and so they continued out of it till His present Majesty's Success restor'd them and their fellow Protestants to their Churches, as well as to their own just Rights.

12. Now here we had a full demonstration, what the Liberty of Conscience would come to, with which King *James* thought to have amused Protestants, and of which he boasted so unmeasurably, if once Popery had gotten the upper Hand. He and his Parliament might have made Acts for it, if they pleas'd; but we see here that the Clergy would have told them, that they medled with what did not concern them, and that they had no power to make Acts about Religious Matters, or dispose of the Rights of Holy Church; and we see from this Experiment who would have been obeyed. We found here upon tryal, that when King *James* would have kept his Word to us, it was not in his power to do it; and that his frequently repeated Promises, and his Act of Parliament for Liberty of Conscience, could not prevent the demolishing, defacing, or seizing Nine Churches in Ten through the Kingdom; and discovered to us, That the Act for Liberty of Conscience was only design'd to destroy the Establish'd Church, and not that Protestants should have the Benefit of it.

13. Having taken away our Churches and publick places of Meeting, the next thing was to hinder our Religious Assemblies. It is observable, that the Act of their pretended Parliament for Liberty of Conscience, promises *full and free Exercise of their respective Religions, to all that profess Christianity within the Kingdom, without any Molestation, Loss, or Penalty whatsoever*: But assigns no punishment to such as shall disturb any in their Religious Exercises; and there was good reason for that omission; for by this means they had left their Officers and Soldiers at liberty to disturb the Religious Assemblies of Protestants, without fear of being call'd to any account.

14. By the Act, an open, free and uninterrupted access was to be left into every Assembly; and they commonly had their Emissaries in every Church, to see if they could find any thing to object against the

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Preacher: But the Ministers did not fear any thing could be objected even by Malice on this account; and therefore when they found they were not like to make much of this, they let it fall; and the Officers and Soldiers came into the Churches in time of Divine Service, or in time of Sermons, and made a Noise; sometimes threatening the Ministers, sometimes Cursing, sometimes Swearing, and sometimes affronting or assaulting Women, and picking occasions of Quarrels with the Men, and committing many Disorders: It vex'd and griev'd them to see the Churches full, contrary to their expectation; that neither their Liberty of Conscience, nor multiplying their Mass-Houses, nor their driving away several Thousands of Protestants into *England*, had in the least emptied them; that their Liberty of Conscience, instead of dividing, had rather united Protestants; and that the zeal and frequency of Devotion, amongst those that remained, supplied the absence of those that were gone, and crowded the Churches rather more than formerly: It grieved them much to see those things, and they on all occasions vented their Spleen against the Assemblies of Protestants.

15. In the Country, where Churches were taken from the Protestants, they met in private Houses; and where their Ministers were gone, and their Maintenance seiz'd, others undertook the Cures either *gratis*, or were maintain'd by the voluntary Contributions of the People: So that there appear'd no probability, that Protestantism would be destroy'd without Violence. The Papists saw this, and therefore watched an opportunity to begin it. On the 6th of *September*, 1689, upon pretence of a Case of Pistols and a Sword found in some out-part of *Christ-Church* in *Dublin*, they lockt it up for a Fortnight, and suffered no Service to be in it. On the 27th of *October* they took it to themselves, and hindred Protestants to officiate any more in it. On the 13th of *September*, on pretence of some Ships seen in

in the Bay of *Dublin*, they forbid all Protestants to go to Church, or assemble in any place of Divine Service. *July* the 13th. 1689. there issued out a Proclamation, forbidding Protestants to go out of their Parishes; one design of this was to hinder their Assemblies at Religious Duties: For in *Ireland* generally two or three Parishes have but one Church, and consequently by this, one half were confin'd from the Service of God through the Kingdom. *June*, 1690. Colonel *Lutterel* Governour of *Dublin*, issued out his Order, forbidding more than Five Protestants to meet together on pain of Death. He was ask'd, Whether this was design'd to hinder meeting at Churches? It was answer'd, That it was design'd to hinder their meeting there, as well as in other places; and in execution of this, all the Churches were shut up, and all Religious Assemblies through the Kingdom forbidden under pain of Death; and we were assured, That if King *James* had return'd victorious from the *Boyne*, it was resolv'd that they should never have been opened any more for us; and the same Excuse would have serv'd for his permitting this that serv'd him the former Year, for not restoring the Churches taken away in his absence at the former Camp, even that he must not disoblige his Roman Catholick Clergy. Thus God gave them opportunity to shew what they intended against our Religion, even to take away all our Churches, and hinder all our Religious Assemblies; and when they had brought their Liberty of Conscience to this, and we had been obliged, upon pain of Death, to forbear all publick Worship for a Fortnight, then he sent us deliverance, by means of his present Majesty's Victory at the *Boyne*, which restor'd us the liberty of worshipping God together, as well as the use of our Churches.

## S E C T. XIX.

*Fifthly, The Violences used by King James's Party, to make Converts, and to discourage the Protestant Ministers.*

I. **B**UT all these Methods of ruining the Protestant Religion, seem'd tedious to the Priests; and therefore they could not be prevailed with, to abstain from Violence; where-ever they had a fair Opportunity to use it, they applied it with all diligence. Several Protestant Women were married to Papists; many of these used unmerciful Severities to their Wives, and endeavoured by hardships and unkindness to weary the poor Women out of their Religion; some stript them of their Cloaths, kept them some days without Meat or Drink, beat them grievously, and at last, when they could not prevail, turn'd them out of their Houses, and refus'd to let them live with them. Some sold off all that they had, turn'd it into Money, and left their Wives and Children to beg, for no other Reason, but because they would not forsake their Religion: And this Carriage was encouraged by the Priests, which came to be discovered on this occasion: Some Women that were thus used, were advised by their Friends to make their Application to their Husband's Confessors, and they imagined the Confessors would lay their Command on the Men to be more civil, and to do the Duty of Husbands to their Wives. But the Priests told the Women, That it was their own Faults that their Husbands used them ill; that they deserved it, and must expect no better whilst they continued disobedient to them, and refused to comply in the matter of Religion: And when the poor Women replied, That in Conscience they could not change their Religion, being persuaded of the truth of it, the Priests railed at them, and abused them almost as much as their own Husbands.

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Servants were used the same way by their Popish Masters, and Tenants by their Landlords; every Office of Profit, or Trust, was made a Temptation; and a Man, whatever his Circumstances were, must either part with it or his Religion. We were told, that the King would have all that did eat his Bread, of his own Religion; the meaning of which was, That he expected that all who were employed by him, should turn Papists.

2. I reckon all the Robberies and Plunderings committed on the Country-Gentlemen, to be on the same account; a Man might have saved his Horses, his Cows, his Sheep, and Household-Goods, if he would have changed his Religion; if not, he must expect to be ruined by Thieves and Robbers, set on by the Priests, and encouraged by his Popish Neighbours; which was no way to be prevented, but by going to Mass. Some few were so weak as to do it, and escaped; tho' the generality rather chose to beg, than to save their Fortunes by so base a Compliance.

3. When it fared thus with the Laity, we may imagine the Clergy were in ill Circumstances: Whoever escap'd, they were sure to be robbed and plundered; they were often affronted and assaulted: The very Protestant Bishops could not escape Violence: The Bishop of *Laughlin's* House was broken open and plundered before he left the Kingdom: The Bishop of *Waterford's* House was rifled, and the Bishop, an old Man about fourscore Years of Age, desperately wounded in his Bed. Several of the inferior Clergy were beaten and abused, way-laid as they travelled the High-way, shot at and wounded, and with difficulty escaped with their Lives; some were so beaten, that they died upon it; some had their Houses set on fire; and in general, the Protestant Parishioners were so apprehensive of the Danger in which many of their Ministers were, that they besought them to withdraw themselves out of it: They had threatening Messages often sent to them;



the Robbers of the Country would send them word, That at such a time, or such a Night, they would be with them; and sometime they would be very punctual o their Affignation, and strip the poor Men and their Families of their very Cloths.

4. Those that staid amongst their Parishioners in the Country, were forc'd to walk from House to House to perform their Offices; their Horses being all taken from them: At last they were generally put into Prison with the other Gentlemen of the Country, and some kept in for Twelve or Thirteen Months, not being releas'd till the General Deliverance: Some were Tried for their Lives, and some condemned to Death. Even in the City of *Dublin*, under the Eye of the Government, hardly one escaped Affronts and Abuses, or could walk the Streets with quiet; the Souldiers, especially the *French*, rail'd at them, calling them, *Diabes des Ministres Here-tiques; un Protestant, un Diable*; with many other con-temelious Expressions.

5. It were infinite to reckon up all the Violences they suffer'd: Doctor *King*, Doctor *Foy*, Mr. *Bunbury*, Mr. *King*, Mr. *Delany*, Mr. *Fitz Simons*, Mr. *Read*, Mr. *Caroline*, Mr. *Roselle*, Mr. *Tucker*, Mr. *Buckburst*, and many others were imprisoned: Dr. *Foy* and Mr. *More* were assaulted by Souldiers, whilst performing their Office at a Burial in the Church-yard; the same Dr. *Foy* was hindred from preaching several Sundays, by the Menaces of some of King *James's* Guards, who surrounded the Church with their Fuseses, and swore they would shoot him if he went into the Pulpit; and this only because he had taken notice the Sunday before, that one *Hall* in a Sermon preached before King *James* in *Christ Church*, and printed afterwards, had corrupted his Text, *Acts* 17. 30. by rendring it instead of Repent, *Repent and do Penance*. Doctor *King* was assaulted in the Street, and a Musquet with a light Match levelled at him; the publick Service in his Church was disturbed several times, particularly on *Candlemass-day* 1689. by seven Officers,

Officers, who swore aloud they would cut his Throat: Dean *Glendy* was knockt-down, and wounded in the Street: Mr. *Delany* assaulted and pusht at with a naked Sword several times, and carried, after they had sufficiently abused him, to Gaol: Mr. *Knight* was abused in his Church-yard by commonly known by the Name of the Mayor of *Scarborough*, who threatned to beat him: Mr. *Sergeant* was cudgelled through the Street, and carried to Prison: Mr. *Price* had a Musquet twice snapt at him, and with great difficulty got to his House: Mr. *Burridge* was assaulted by Three or Four on the High-way, and wounded in four places. These were but a few of their Sufferings; they went every Moment in hazard of their Lives; and had it not been that King *James* flattered himself, that a strong Party of the Clergy in *England* espoused his Interest, it had been impossible for the Clergy of *Ireland* to have subsisted.

6. Nevertheless great Hardships were daily put upon them, and new Arts invented to defame and vex them: In some places a new invented Oath was offered to them, for which there was no pretence or Law. They answered, that they had taken the Oath of Supremacy and Allegiance at their Institution, and that they were not oblig'd to take any other Oath: But that Excuse would not serve, and on their Refusal they were sent to Gaol. The Priests were very busie about Sick Protestants; they with great impudence thrust into their Rooms, and if they were past Speaking, they gave out that they were Converts. If the Infirm person had any Popish Relations, they besieged the House, and hindred the Protestant Clergy from coming to their Parishioners: The Priests pretended, that they had King *James's* Command to Visit the Sick, and attempt their Conversion, and therefore would not be hindred nor be perswaded to withdraw, tho' frequently desir'd by the Sick Men. The Protestant Clergy were often affronted and threatned on this account, and the

Ill-will they procured on particular Occasions of this nature, was the ground of some of their Confinement afterwards; for the Priest that lost his prey (as they reckoned every Sick Man) by the vigorous opposition and diligence of a Minister, was sure to contrive a Revenge one way or other: As Doctor *Foy* found for his having received one *Smith* (who had for some years lived a Papist) again into our Communion at his Death; and that with such remarkable circumstances of Repentance and Sorrow, that King *James* heard of it, and blam'd his Physician Dr. *Constable* for his neglect, in not giving Notice to the Priest.

7. They endeavoured to bring the Ministers of *Dublin* under all the Contempt they could, and at last put on them the drudgery that belonged to the Office of Constables and Deputy Aldermen: It belonged to those Officers on all occasions to return the Names of the several Inhabitants and Inmates of their Wards. The Government desired to know the

See *Appendix*, N. 30. Names of Protestants in each Parish, and their Numbers, and they

took them several times; but Colonel *Lutterel* the Governour of *Dublin*, would not be satisfied till the Ministers went about in person, and returned every Man his respective Parishioners Names: It was in vain for them to plead the unreasonableness of this Imposition; they alledged the pains, the charges, and the meanness of the thing, which was done more effectually already, than could be done, by them by the proper Officers; but all in vain, they must comply or go to Gaol. This Return made by the Ministers was of no real use to the Government, for they had an exact Account given about a Fortnight before, by their own Officers, and took another about a Week after: The Design therefore was either to lay a Snare for the Ministers, or else to render them contemptible to their People; but instead of doing that, it only incensed the People against their unreasonable Governours, who thus affronted their Clergy.

SECT.

## S E C T. XX.

Sixthly, *King James, and his Party, endeavoured to destroy the Protestant Religion, by misrepresenting the Persons and Principles of Protestants.*

1. **T**He Violences used to out us of our Churches, and to discourage our Clergy, had no great Success in making Converts; but there was another way set on foot, which did seduce some; and it was by making a Monster of the Protestant Religion and Protestants; insomuch that Young People, who liv'd remote from Conversation, and had not opportunity to inform themselves of the Truth, conceiv'd strange Idea's of both, by the Insinuation of the Priests.

2. It was one of the first Steps of the Reformation to renounce the Usurped power of the Pope, and to restore to the Crown the Ecclesiastical Jurisdiction, which originally belongs to the Civil Magistrate; that is, the power of punishing Offenders with the Temporal Sword, whatever their Crime be, whether Ecclesiastical or Civil. Now the Priests represented this Doctrine after a strange manner; they persuaded those that would lend them their Attention, that the Protestants believed all Spiritual power to be in the King; that he could Consecrate whom he pleas'd Bishops; set up what Religion he had a mind to, and oblige all his Subjects to be of his Faith: And they rail'd most grievously at the Protestants for not turning Papists, in compliance to their King, calling them Traytors and Perjur'd persons from their own Principles.

3. 'Twas another Principle amongst Protestants, that private Men should not take up the Sword, or resist the King upon any pretence, such Resistance being against Law; by which no more was understood, than that Subjects should, according to the Laws and Gospel, behave themselves peaceably and submissively towards their

their Superiours, and not upon any pretence of private injury or wrong done to them in particular, enter into Conspiracies and Combinations against their Governours; but by it was never intended to give up the Constitution of the Government, or to part with the Liberties and Priviledges of the Kingdom; yet the Priests would needs persuade the World, that by this Principle the Protestants were obliged to part with all at the King's Command; that he might use them, if he pleased, as the Grand Signior or the *French* King use their Subjects, and their Lives, their Liberties and Estates were all at his Mercy, and they *Devils and Traytors, and perjur'd Villains* (I use their Words) if they demurr'd at his Command. There was hardly any Principle peculiar to the Reform'd Religion, but they thus misrepresented it.

4. Nor did the persons of Protestants escape better than their Principles. They loaded them with the most odious Calumnies and Misrepresentations; they alledged that the Protestants had no Religion at all; that they only pretended to it, but were Atheists and Traytors in their Hearts; they were more especially malicious against the Clergy; King *James* himself contributing to it, as appeared on this occasion; two young Gentlemen, Brothers to the Earl of *Salisbury*, followed King *James* out of *France*; they profest themselves Protestants and associated with such; the Bishops of *Meath* and *Limerick* had an Eye on the Gentlemen, and endeavoured to secure them against any attempts which might be made to pervert them; but King *James* called the young Men to him, forbad them the company of Protestants; nay even of one Mr. *Cham* a Gentleman that came over with them; but above all he forbad them conversing with the Bishops and Clergy-men: for said he, they are false to me, and will pervert you to Disloyalty and Treason: This was the common saying of them all, even of the Chancellor on the Bench; and tho' they would on occasion magnific the Loyalty  
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of some of the Protestant Clergy in *England* and *Scotland*, yet at other times they would profess that they believed them all treacherous, and would never trust any of them.

5. In order to abuse the Protestants, and especially the Clergy, they set up one *Talden* a Convert, Counsellor at Law, to write a weekly Paper, which he called an *Abhorrence*; in which he endeavour'd to rake together all the little Stories that might reflect on Protestants, and all the Arguments his Wit could furnish him with for his Cause; he made it his business to invent false Stories and Lyes concerning the Clergy, and began with Dr. *King* and Dr. *Foy*. He had published a Collection of Passages out of the Bishop of *Ely's* Sermon, and some sixteen others for Passive Obedience; whether this was his own Work, or only, as I have been informed, a Piece composed by some others which he assumed to himself, I cannot say, but it met with very slender reception in *Ireland*, and lay on the Booksellers hand. To vent it therefore, as some thought, or rather to abuse the Clergy, he published an Advertisement in his *Abhorrence*, declaring that Dr. *King* and Dr. *Foy* had approved this Book, by their Certificate under their hand; by this he thought to intrap them: For either they (as he imagined) must See Appendix, N. 29. have let this pass; and then the Protestants must think them, if not ill, at least very imprudent Men; or else they must disown it; and then he knew how to improve their refuting his Calumny so as to render them odious to the Government: And the Papists did a little please themselves with the contrivance: But Dr. *Foy* and Dr. *King* found means without concerning themselves much in the matter, to let all *Dublin* know that they never read Mr. *Talden's* Collection; that no body ever ask'd their Opinion of it, much less had they given any Certificate concerning it, and that they could give no censure of it, having neither read it, or the Sermon out of which it is pretended to be

be taken. This discovery would have dash'd any other out of Countenance; but Mr. *Talden* went on his way, and became every day more and more abusive, till he and his *Abhorrences* were routed together. His Work was to magnifie the Party that adhered to King *James* in *England*, to represent their present Majesties Interest as sinking, to blacken and abuse all Protestants, and to vent his Spite in a more peculiar manner against the Clergy, whom he endeavour'd to ridicule and make odious to the Government, and, if possible, to sow dissention between them and their People. We have reason to thank God that he had no success; but yet the Countenance he and his Papers met with from the Government, his *Abhorrences* being Licens'd either by Sir *Richard Nangle*, or *Albeville*, Secretaries of State, plainly discover what Inclinations they had towards the Protestant Religion and Clergy.

6. And now upon the whole I suppose it is manifest, by what has been said in this and the former Section, that King *James* not only design'd to destroy us, but also made a considerable progress in it, and it would have been inexcusable Ingratitude to God, and to their present Majesties, if we should have refused to close heartily with a Government that rescued us from so great misery and apparent danger; nor can any reasonable Man blame those amongst us that desired or assisted in this deliverance, and to their utmost power laboured to procure it.

7. If a Christian Army should go at this time into *Greece*, to redeem the Christians there from the slavery of the *Turk*; I would enquire of any indifferent Casuist, whether it were lawful for the oppressed *Grecians* to accept of that Deliverance, and to joyn heartily with, and recognize their Redeemers; and I am well assured, there is not one Argument could be produc'd to justify such a defection in them, but it may be urged with greater force in our vindication. The usage we have met with being full as inhumane as any thing they



they suffer, and with this aggravation, That every Act of Violence exercised against us, is likewise against the Laws, and against the Nature and Constitution of our Government; whereas their Laws vest their Emperour with an absolute Power, and they have no other Title to any thing but his Will; every Act therefore of Oppression from our King, was so much more intolerable and provoking to us, than the like from the *Grand Signior* is to his Subjects, as an illegal Violence is more insupportable than a legal.

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#### C H A P. IV.

*That there remained no other Prospect, or humane Possibility, of avoiding this Slavery and Destruction designed against the Kingdom and Protestants of Ireland, but by accepting of the Protection, and submitting to the Government of their present Majesties.*

1. **B**Y the foregoing part of this Discourse, it appears, that we had nothing left us to oppose to the Invasions made on our Liberties, Properties, Lives, and Religion; that neither the Laws, nor the King's Protections and Articles, or Declarations in our favour; that neither particular Services and Merits towards the Royal Interest, nor King *James's* natural Compassion and merciful Disposition; nor, lastly, his own Interest in protecting and preserving us, could secure us; but that notwithstanding all these, we were brought to the very brink of Destruction. There remain'd therefore no other prospect or possibility for us to avoid this Destruction, but his present Majesty's interposing on our behalf, as he had done for *England*: A Providence of which we so little dream'd, and which  
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was so strange, so unexpected, and so effectual, that we cannot but believe something extraordinary in it; and that he was raised up by God to be a Deliverer to us and the Protestant Cause.

2. An unreasonable Request it had been now to the Protestants of this Nation, in this condition to which they were brought, to have desir'd them to have sat still, and not made use of that Opportunity which God put into their Hands, to rescue themselves and their Country from Slavery and Ruin. And yet this it is our Adversaries would have had us declined, been contented with what they had brought upon us, and expected some new Miracle in our Deliverance.

3. For when the Protestants here complained of the Pressures under which they lay, their Popish Acquaintance used to tell them, that they ought to be patient; that Christ had endur'd more whilst on Earth, and that they ought not to trouble themselves about their Sufferings or Deliverance, but leave all to Providence, and see what God would do for them; and took it very ill, that they, or those whom they had driven from hence, should endeavour to do any thing for themselves. It is true, Sermons of Patience and Submission to the Will of God, were very proper and necessary in our Circumstances; but then they were most improper in the Mouths of our Enemies, who brought and continu'd those Injuries and Sufferings on us, contrary to Law and Justice, under which they endeavoured to persuade us to be patient, and from which they would not allow us to seek relief; and whilst they continu'd their Oppressions, their advising us to depend solely on a new Providence for our Deliverance, was the same reproach and scoff that the Apostate *Julian* put on the Primitive Christians, whose Petitions for Justice he put off, by telling them, *Their Master advised them to be patient, and pronounced them blessed when persecuted.* And yet we did exactly follow this advice, tho' given in railery; and did not make the least step to right our selves by force, till

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God's Providence appeared signally for these Kingdoms, in raising them up a Deliverer, and putting the Crown on their Majesties Heads.

4. And now what Reason have we thankfully to embrace, and to bless God for the kind Offers of a Prince, who out of a publick Spirit, generously ventured himself and all that he had, to save the Protestant Religion, the Interest of Europe, and these Kingdoms in particular, from the united Designs of *France* and King *James*, to enslave and ruin them! It is true, God could have wrought a Miracle for us, when nothing else would have saved us; but we should have had little reason to expect it, if we had rejected this contrivance of Providence that seemed next to miraculous. I am sure some things are recorded in History as Miracles, which were not accompanied with such extraordinary Circumstances as our Delivery. We neither had nor have in our utmost view another chance, besides this, to preserve us from Slavery, Misery, and Ruin; and our Enemies would have had more reason to applaud their Wit than the World allows them, if they could have persuaded us to reject this, and to trust to a new Miracle. We had only in our prospect this one thing to save our Lives, to take us out of Gaol, to restore our Laws, our Employments, the free exercise of our Religion, our Fortunes and Estates, when we were unjustly deprived of them, and 'twas a very modest expectation in them, and answerable to their other measures of Politicks, to think a People harrassed and stript, and plundered and condemned by them, to lose their Lives and Estates, which was the Case of all those who fled from hence to *England*, and in great measure, of most of those that staid here, should in the height of their smart and sufferings, reject the kind offers of a Deliverer, to depend on a Miracle; yet they pretend, this is what we ought to have done, and because we did it not, they rail at us in the most bitter Terms; they call us Rebels and Traytors, Villains and Atheists, and load us with all the oppro-

opprobrious Names their Malice and Revenge can suggest.

But we cannot blame them to be angry ; the hungry Wolf, if he could speak, would curse and rail as heartily at the Shepherd, that rescues the Lamb out of his Paws, as they do at us or our Deliverer ; they had devoured us in their Imaginations ; they had got the Civil and Military Sword into their Hands, and engross all Places of Trust and Profit : These, with the Legislative Power in the hands of our ancient and most malicious Enemies, were more than enough to have destroyed us ; but just when they should have divided the Spoil and concluded the fatal Tragedy, the Prince of *Orange*, his present Majesty, interposeth, and rescueth us ; this disappointment mads them beyond all bounds of patience, and casts them into strange fits of Railing and Cursing ; Hell, Damnation, Confusion to him and his Royal Consort, were continually in the Mouths of their Men, Women and Children ; with these they used to entertain one another at their Tables and Debauchies, and endeavoured to force them by way of Healths on Protestants. In short, they spare no ill Name or Execration, that impudent Rage could vent, or invenom'd Rancour could suggest : But when all is done, in their quiet Intervals, their Consciences cannot but acquit us, and many of them made no scruple to confess, That there was no Medium, but that either we or they must be undone, and when that was the unavoidable choice, that they, according to their own confession, had put on us, I assure my self the World will not only excuse us, but will think it was our Duty to have done what we did, since they had left us no other visible way but this, to avoid certain and apparent Destruction.

CHAP.

## C H A P. V.

*A short Account of those Protestants who left the Kingdom, and of those that staid and submitted to King James.*

## S E C T. I.

*Concerning those who went away.*

1. **T**He former Discourse, I suppose, is sufficient to justify the Protestants of *Ireland*, as to their submission to the Government of their present Majesties; and to shew the Reasons for their earnest desiring, and thankfully accepting of that Deliverance, which Providence offered us, by their means. It remains only to speak a few words in particular of those that left the Kingdom, and of those that staid and submitted to King *James*, that they may understand the truth of each others Circumstances, and not either of them unjustly censure the other.

2. As to those that absented themselves out of the Kingdom, it is certain, that they offended against no Law in doing so; it being lawful for any subject to transport himself out of one part of the Dominions of *England* into another. It is true, that there is a Law or Custom, that requires such as hold Offices from the King, to take a Licence from the Chief Governour; but the Penalty of this is no more than the forfeiture of their Offices; and I find it disputed among the Lawyers whether it reach so far; Now few of those that went away, compar'd with the whole number of them, were Officers; those that were, generally took Licences of absence; and at worst, it was at their own Peril, and it had been a great severity to have taken the forfeiture; which was the sense of the whole Parliament

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of *England* in making an Act to exempt such from incurring any loss.

3. But Secondly, they had great reason to go out of the Kingdom, because they foresaw that it would be the seat of War; they saw Forty or Fifty Thousand Men put into Arms without any Fund to maintain them; they knew these to be their bitter and sworn Enemies; they saw the course of Justice stopt against them, and their Stocks and Cattle taken away before their faces; several Gentlemen of the Country lost to the value of some Thousands of Pounds before they stirred; and to what purpose should they stay in a place where they certainly knew that all they had would be taken from them, and their Lives exposed to the fury of their Enemies?

Thirdly, They had no reason to stay; because they could not expect to do any good by their staying, or to save the Kingdom: The Papists had all the Forts and Magazines of the Kingdom in their hands; they had all the Arms and publick Revenues; they were in number Four or Five to one Protestant: and they had the face of Authority on their side; and then what could a scattered Multitude without Arms, without Leaders, and without Authority, hope to do in their own defence? By going into *England* they reckoned themselves not only safe, but likewise in a way of serving their Country. 'Twas from thence they expected Arms, Ammunition, and Commissions, by the help of which they might put themselves in some capacity of rescuing their Estates and Friends they left behind, which they lookt on as much better Service than to stay and perish with them.

4. Fourthly, The memory of the cruel usage and difficult times those met with who staid in *Ireland* in 1641. did frighten and terrifie all that reflected on them; the number of those that were then massacred and starved was incredible, and those that escaped got away with such circumstances, that the memory of what they had suffered

suffered was as ill as death: If any will be but at the pains of reading over Sir *John Temple's* account of the first half Year of the War, or rather Massacre, he will be satisfied that it was no unreasonable fear made so many Protestants withdraw out of the reach of such Barbarities; the same Men or their Sons that committed all those bloody Murders and Inhumanities were again armed in a much more formidable manner than they ever had been before; and yet at that time they were able to maintain a War for twelve Years, and live by Spoil and Robbery; and then what were the Children of those, whose Parents had been murdered by them, to expect but the same fate, or at best a miserable Life in a desolate and spoil'd Country, in which no wise Man would choose to live if he could help it? Indeed they could not expect to live long after all was taken from them, but must in a little time have unavoidably starved: A Trades-man might expect to live by his Industry, a Gentleman on his Credit in a peaceable Country, or in War, by lifting themselves in an Army. But in *Ireland* where Men neither were suffered to use their Industry, nor betake themselves to Arms, where they could neither enjoy the means of gaining a livelihood in Peace or War, to what purpose should they stay, to live at the best, in Poverty, Contempt, and Slavery?

5. As to the Clergy that left the Kingdom, it is to be considered, that most of those in the Country were robbed and plundered, and nothing left them to support themselves and Families, before they went away: Many were deserted by their People, their Parishioners leaving them, and getting to *England* or *Scotland* before them: Some Parishioners were so kind to their Ministers, that the begged and entreated them to be gone; which they were moved to do, because they saw the spite and malice of their Enemies were more peculiarly bent against the Clergy, and they imagined that their removing would a little allay the heat of those spiteful



Men, and that the Robbers would not so often visit the Neighbourhood when the Ministry was gone; which in many places had the effect intended; for the Robbers would come a great way to rob a Gentleman or Clergyman, and would be sure to visit the poor People's Houses in their passages: But when these were removed, the obscurity of the meaner People did protect them from many Violences. Lastly, many Clergy-men were forced to remove, because they had nothing left to live on, their Parishioners were as poor as themselves, and utterly unable to help them: I do confess, that there was no reason to complain of the People's backwardness to maintain the Clergy; on the contrary, they contributed to the utmost of their power, and beyond it, and made no distinction of Sects; many Dissenters of all sorts (except Quakers) contributing liberally to this good end, which ought to be remembered to their Honour: But, after all, in many places, a whole Parish, what with the Ruine and Desolation brought on the Kingdom, and what with the removal of the Protestant Parishioners, was not able to contribute Twenty Shillings, to maintain their Minister; and mere necessity forced away these Ministers. Against some others the Government had peculiar Piques and Exceptions; those were in manifest hazard of their Lives, and in fear every day of being seized and brought to a Tryal, on some feigned Crime: And several both of the Clergy and Laity were forced to fly on this account for their safety. All these I look on to be justifiable Reasons of Men's withdrawing. If any went away on any other Principles, who were not in these or the like circumstances, I shall leave them to the Censure of the World; but I believe very few will be found for whom either their publick or private Circumstances may not justly apologize.

¶ 6. It is not to be supposed, that Men would have left their plentiful Estates and Settlements, their well-furnish'd Houses and comfortable ways of Living, as most  
of

of these who went away did, had they not been under the greatest fears and pressures. Wives would not have left their Husbands, nor Parents their Children; Men of Estates and Fortunes would not have ventured their Lives in little Wherries and Boats to pass Seas famous for their Shipwrecks, if they could with any comfort or safety have staid at Home. I know King *James* took care to have it suggested in *England*, That all these left *Ireland*, not out of any real fear or necessity, but only with a design to make him and his Government odious: But sure they must think the Protestants of *Ireland* were very fond of a Collection in *England*, that can imagine so many thousand People of all sorts and Sexes should conspire together to ruine themselves, and throw away all that they had in the World, out of Malice, and only to bring an Odium on a Party that had done them no harm.

7. Neither was it, as some suggest, a vain and panick Fear that possessed them that went away; for that could not continue for a Year or two; but those that had lived under King *James* a Year and half, were as earnest to get away, as those that went at first; and the longer they liv'd under him, their fear and apprehensions encreased the more on them; being already ruined in their Fortunes, and their Lives in daily and apparent hazard, from military and illegal proceedings. They liv'd amongst a People that daily robb'd, plunder'd, and affronted them, that assaulted their Persons, and threatned their Lives, and wanted only the Word to cut their Throats; and sure 'twas then time to withdraw from the danger at any rate; and I am confident I speak the sense of the generality of those that stayed, That if the Seas had been left open but some few Months before his Majesty appear'd in the Field in *Ireland*, far the greatest part (I may venture to say almost all) of those that had stayed till then, would have gone away with their Lives only, rather

than have continued here longer. Whoever knows the Cruelty and Malice of those with whom we had to deal, will own these Fears to be reasonable: Yet for this we were condemned to Death and Forfeiture; and the very Children barr'd of their Rights, against the known Laws and Customs of the Kingdom.

## SECT. II.

*A Justification of those Protestants who staid in Ireland, and lived in submission to King James's Government.*

1. **N**otwithstanding the great number of Protestants that fled to *England*, yet many staid behind; perhaps some may accuse their Prudence in venturing to stay under such Circumstances, but otherwise I think little can be objected against them; however, lest any should entertain any sinister Thoughts of them, 'twill be necessary to say something in their behalf. They were of four sorts: 1. The Meaner People. 2. Gentry of Estates. 3. Such as had Employments. And, 4. The Clergy.

2. First, As to the Meaner People, 'tis to be considered that it was no easie thing to get away; the Freight of Ships and Licenses were at very high Rates, and sometimes not to be purchased at all. Many of the Country-People could not get to the Sea-Ports; they had little Money, their Riches were in their Stocks, and these being plunder'd, they were not able to raise so much Money as would transport them and their Families; and they generally came too late to the Ports, a strict Embargo being laid on all Ships before they could get to the Sea-side; many of the Citizens of *Dublin* and other Sea-Ports got off, but were forced to leave their Shops and Concerns behind in the hands of their Relations and Dependents, who were obliged to stay to take care of them. Others thought it unreasonable to leave all they had

had, to go to Beg in a strange Country ; and having no Body to trust with their Concerns, resolv'd to hazard themselves together with them. If these things be considered, 'twill rather seem a Wonder that so many got off, than that some staid behind.

3. Secondly, As to the Gentlemen ; tho' some of them had plentiful Estates and Fortunes, yet they had but little Ready-Money : 'Tis not thought prudent in *Ireland*, where Money is at 10 *per Cent.* for any one to keep much Cash by him ; and perhaps he that hath 1000 *l.* *per annum* clear, hath often not 100 *l.* in Cash. Now some Gentlemen that had considerable Families and little Money, thought it unreasonable for them to leave their plentiful Estates and go into *England*, to Beg or Starve, and the very thoughts of either was more terrible to them than Death ; And therefore they chose rather to venture all with their Estates. Others were tyed by such particular Obligations, that it was impossible for them to stir without the greatest damage to their Concerns, and inhumanity to their Relations.

4. Others thought it necessary to stay meerly for a Trial, that they might not be said to have thrown themselves out of all, before they were forced ; and that they might see how far King *James* would proceed in his design of ruining Protestants and settling Popery.

5. Others had either Relation by Kindred or some private Interest or Obligation on some leading Papists ; and fancied by their staying they might be able to save something for themselves and Tenants : Others, tho' they had no such Interest or particular Obligations, yet their Families and influence in their Countries, had made them respected, even by their Enemies ; and they hoped by their prudence and management to obtain better Quarters for the poor People that depended on them ; whom they could not find in thir Hearts to leave destitute of all shelter and conduct, and it must be acknowledged that tho' these could not do as

much good as they might reasonably have expected, yet they did a great deal: And it must be owned as a singular Providence of God that some such Gentlemen staid; for they used all their Authority, Interest, and Credit to serve the Poor, and notwithstanding the malice and power of their Enemies, they did them many good Offices: They directed them what to do, and how to behave themselves in their applications for Relief, when oppressed; they managed and solicited their Petitions; they took all Opportunities to Remonstrate to King *James* the Grievances and Oppressions of the poor People; they took the most favourable Instances, and managed them in the best manner, to make him sensible; they took advantage of the little Feuds that were between the Courtiers, and made their Piques useful to procure redress to such Protestants as had been signally injured by the opposite Party; and sometimes by Address, and other times by meer Importunities and bold Representations of the barbarousness and inhumanity of the Proceedings against Protestants, they shamed the Government into a better Temper; sometimes procuring some Moderation; sometimes redress of exorbitant Grievances; and at other times did prevent most signal Mischief design'd against us, at least by gaining time, which was a great conveniency to us.

6. These Gentlemen that staid were useful, not only by employing their Credit, their Friends and Interest with the Government, but they farther did contribute to the preserving and supporting of a great many poor and imprisoned People, that otherwise would have starved: Near Five hundred Prisoners were supported by the Charity of *Dublin*, and every thing put into such a method, that amongst the numerous poor ruined Protestants, not one was lost or starved for want of Meat or Cloaths, that we could hear of; which we must look on as an extraordinary Providence, and renders all those inexcusable who changed their Religion, on pretence that otherwise they must have starved; An Excuse they

they did not offer then, and which being false, ought not to be pretended, much less allow'd now.

7. We found our selves in many Straits, how to behave our selves under some Difficulties that fell on us about Fees for Imprisonment, concealing of Arms or Absentees Goods, and matters of Oaths, either to the Government or on private Occasions: The Gentlemen and Persons of Credit that staid, advis'd the poor People in all these Cases, and kept them in such a steady, unanimous and regular Course, that no advantage could be taken against them; and yet they avoided all Swearing or Betraying themselves or Friends; and whereas there are several Dissenters in *Dublin*, the Matter was carried with so much Prudence, that we lived in perfect Amity, Peace, and Charity together, and all contributed and assisted one another towards their common Safety. Dr. *Dopping*, Bishop of *Meath*, and several other Persons of Note, signaliz'd themselves upon these occasions, and behaved themselves with so much Prudence, Industry, Resolution and Tenderneſs to the Afflicted, that they always will be lookt on by those who staid in *Dublin*, as peculiar Instruments of their Preservation.

8. Thirdly, As to those Protestants who had Employments, and staid on account of them, it was considered and debated by the most prudent and judicious Protestants of *Dublin*, whether they should continue to act in them; and they universally judg'd it advisable, that every Protestant who could either get or keep any Civil Employment by fair and honest means, should do it; most of the Civil Offices were held by Patent, and either the Patentees or their Deputies were on the place, and Executed them: Now for these to have gone away, was to have given them up voluntarily into the Hands of Papists, and to entitle King *James* to the disposal of them, without any imputation of Injustice: We therefore thought all such as had any Employment or Civil-Office, oblig'd to stay in their Employments, till removed

removed by force ; and when they were removed by Act of Parliament, that voided their Offices, and new Officers were appointed, it was still judged convenient that the former Deputies should act in them ; and if the new Patentees should refuse to employ them as Deputies, they should nevertheless endeavour to stay in them as Clerks : First, Because we were in hopes of recovering them in a short time, by the assistance of Their present Majesties, and in the mean time we knew not what havock and spoil might be made of Records and Books by Popish Deputies ; whereas if the Protestants kept in the Offices, they might preserve them, or at least be Witnesses of the Injury that should be done them : And this Contrivance had the effect design'd ; the Papists were so much strangers to the Offices, that they were forc'd to depend on Protestant Clerks or Deputies, and these kept their Masters in all the Ignorance they could ; and either put out of the way, or would not find such Records or Papers, that they supposed were designed to be destroyed ; insomuch that very little Injury was done to the Offices ; the very Outlawries of the Rebels and Murtherers in 1641 being preserv'd, tho' order'd by their pretended Parliament to be destroy'd , and 500*l.* Fine impos'd on any Officer that should conceal any of them.

9. Secondly, It was not safe for any Officer, that was not forcibly turn'd out, to refuse to act ; if he had either voluntarily resign'd his Place, or refused to officiate in it, he must have expected to be treated with more severe usage than other People, as one peculiarly disaffected. Some therefore were forc'd to keep even in the Army in their own defence ; but these were so few, that there need not much to be said for them. I do not remember above Three that had Commissions in the Army, who were desirous to leave it ; and those were kept in only for a pretence of Impartiality : And for such as acted as Justices of the Peace, they were often serviceable to Protestants, in freeing them from Oppres-



Oppressions and Injuries. Those few Protestants that took Commissions of *Oyer and Terminer*, did it on a publick Account, and always acted for the Benefit of Protestants.

Thirdly, Protestants by keeping in Employments, tho' never so insignificant, found means and opportunities of serving their distressed and oppressed Friends; and they seldom fail'd to improve these means to the best advantage. The poor People that staid in *Ireland* were sensible of this, and often wish'd that more had staid on this account; and truly if they had, by the advantage of their Address and Understanding above the Papists, who generally were ignorant of Business, they might probably have done much good, and have gained farther time for the poor People from their destruction.

10. However, I do not intend to justify all that was done by Protestant Officers; if any of them advanced, abetted, or concurred in an ill thing, let them suffer for it: But I humbly conceive the Protestants of *Ireland* that staid here, and saw and observed every Man's Behaviour, and were the only Sufferers by the ill management of any Officer, whatever his Station was, may be safely trusted to give a Character of each. I own, that it is not reasonable that a Certificate under a few Hands should be accepted, as a vindication of any Man; for an Officer might have serv'd and oblig'd a few, who cannot in gratitude refuse to certify for him, and yet have done mischief enough to others: But on the other hand, is it reasonable that secret Whispers or Surmises, especially of such as were absent and strangers to their Behaviour, should undo or misrepresent any Man? And therefore I think, if any Dispute should arise concerning such Matters, a fair and legal Hearing in publick were the most equal way, and is all the Favour that generally any Protestant Gentleman, who staid and officiated under King *James*, needs desire: They are so few, that this would not be any great trouble,

trouble, and their Honesty and Prudence generally so notorious, that it would not be any blemish to them; nor were they guilty of any servile or mean Compliances, or paid any other Deference than what was due to a Government, under whose Power God's Providence had placed them, and which by unseasonable opposition, they would only have exasperated to their own destruction.

II. Fourthly, as to the Clergy that stay'd, it were an Injustice to them to make any Apology for them; they stay'd in pure sense and Conscience of their Duty, and minded it so effectually, that their Labours were acceptable and useful to their People in many respects, and I doubt not but will be approved by all good Men: They foresaw what use Papists would make of empty Churches and deserted Congregations, and that the Priests would not be wanting to persuade the People, That they were no true Pastors that deserted them in time of danger; they were acquainted with the Artifices us'd to draw Protestants from their Religion, and that the present Juncture would afford new Temptations, which the Seducers would not fail to press with all possible advantage: It requir'd therefore all their Skill and Industry, to arm their People against these Instruments of Seduction, and keep them steady to their Principles under such mighty Temptations; and we owe it to the Prudence, Industry, and Courage of the Clergy that remain'd, next to God's Goodness, that so few were prevail'd with to change their Religion, and notwithstanding that they saw they must be ruin'd if they stood firm; whereas if they comply'd, they would not be only safe, but sharers likewise in the Booty. 'Tis true, many of them suffer'd by their staying, and lay under great Difficulties, but it pleas'd God to support and deliver them; and if they had perish'd, it had been with this comfort, that it was in their Office, and in their Master's Work.

## The Conclusion.

1. **A**Nd here I do solemnly protest, That no private dissatisfaction, that no ill-will to King *James's* Person, nor prejudice against any body, has moved me to say what I have said; but that I might vindicate our selves by speaking Truth in a Matter that so nearly concern'd us, both in our Temporal and Eternal Interest. And I must likewise protest before God, who will judge between us and our Enemies in this point, That I have not aggravated the Calamities we have suffered, nor misrepresented the Proceedings against us, out of favour or affection to a Party; but have rather told things nakedly and in general, than insisted on such Particulars as might seem to serve no other purpose, but to make our Adversaries odious.

2. It were much to be wished, and in due time it is hoped, that Commissions may be issued by the proper Authority into the several Counties, to enquire of the treatment the Protestants underwent, and the damages they suffered; and I am well assured, that if this be done, and an account be taken on Oath from the Eye-witnesses and Sufferers, the matter will appear with a much worse Face than it is here represented; and where one Story may happen undesignedly to be aggravated, twenty worse will be to be added to supply it: There is not a more necessary or effectual Means can be taken, for clearing the Protestants in this Kingdom, or justifying the State in their proceeding against the *Irish*; and we are ready or willing to stand or fall in the Censure of the World by this Plea, according as on Proof of particulars, by sufficient Evidence, the Truth shall appear.

3. Upon the whole, the *Irish* may justly blame themselves and their Idol the Earl of *Tyrconnel*, as King *James* may them both, for whatever they have, or shall

shall suffer in the issue of this Matter, since it is apparent that the necessity was brought by about them, that either they or we must be ruin'd. King *James* (if the Earl of *Tyrconnel* may be believed) changed his Religion on *His* Sollicitations, (for he often bragg'd, That He was the King's Converter.) He prefer'd the gratifying this Favourite's Ambition, to the Affections of his Protestant Subjects in *England* and *Ireland*. He left *England* and came into *Ireland* on his Invitation; and he brought Ruine and Desolation on the Kingdom, especially on his Protestant Subjects, in prosecution of the Measures laid down by him; yet so far was he in love with this Minister, that he frequently, both in his Proclamations and Acts of Parliament, ascribes the saving of *Ireland* to him, and assigned him above the value of Twenty thousand Pounds *per Annum*, to support his new Title of Duke, out of the forfeited Estates of Protestants, most of them condemned unheard on publick Fame only. This Person therefore was the true Enemy of King *James*; he drove his Master out of his Kingdoms; he destroy'd him by his pernicious Counsels, and the Kingdom of *Ireland* by his exorbitant and illegal Management; and therefore he and such other wicked Counsellors and Ministers, are only answerable for all the Mischiefs that have follow'd; and it is much more reasonable the Destruction should fall on them who were the Authors, than on the Protestants against whom they design'd it.

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# APPENDIX.

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## A N A C T

*For the Attainder of divers Rebels,  
and for preserving the Interest of  
Loyal Subjects.*

**H**Umblly beseech your Majesty, the Commons in this present Parliament assembled, That whereas a most horrid Invasion was made by your Unnatural Enemy the Prince of *Orange*, invited thereunto, and assisted by many of your Majesty's Rebellious and Trayterous Subjects of your Majesty's Dominions; and such their inviting and assisting, made manifest by their perfidious deserting your Majesty's Service, in which, by your many Princely Obligations, besides their natural Duties, they were bounden; and having likewise to obtain their wicked Ends, raised and levied open Rebellion and War in several places in this Kingdom, and entred into Associations, and met in Conventions in order to call in and set up the said Prince of *Orange*, as well in *Ulster* and *Connaught*, as in the other Provinces of *Munster* and *Leinster*: To quell which, your Sacred Majesty's

Majesty's late Deputy in this Kingdom, *Richard*, then Earl, and now Duke of *Tyrconnel*, before your Majesty's happy Arrival in this Kingdom; and your Sacred Majesty since your Arrival here, have been necessitated to raise an Army to your Majesty's great Charge and Expence. And tho' the said Rebels and Traytors, after their having the Impudence to declare for the Prince and Princess of *Orange* against your Sacred Majesty, were with all mildness and humanity called in to their Allegiance, by Proclamations and promises of Pardon for their past Offences, and Protection for the future: And tho' some of the said Proclamations assured Pardon to all such as should submit themselves; and that no Persons were excepted in the last Proclamation besides very few, not exceeding Ten in number, and few or none of any note came in, in obedience thereunto; and that very many of the Persons who came in upon Protections, and took the Oath of Allegiance to your Majesty, were afterwards found amongst the Rebels in open Arms and Hostility, when taken Prisoners or killed, such Protections being found with them: So villainous were they by adding Perjury to their former Crimes, That it may be Enacted, and be it Enacted by your most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That All those Persons \*

*\* The Names of the Persons Attainted by this Act are here omitted; but a List of them may be had singly at Mr. Robert Clavel's Shop.*

who have notoriously joyned in the said Rebellion and Invasion, and some of which are upon Indictments condemned, some Executed for High-Treason, and the rest Ran-away, or abscond, or are now in the actual Service of the Prince of *Orange* against your Majesty, and others kill'd in open Rebellion, or now in Arms against your Majesty, or otherwise: And every of them shall be deemed, taken and reputed, and are hereby

hereby declared and adjudged Traytors, convicted and attainted of High Treason, and shall suffer such pains of Death, Penalties, and Forfeitures respectively, as in Cases of High Treason are accustomed. **Provided**, that in case it happen that any of the Persons hereby Attainted, or to be Attainted, do now abide or dwell in this Kingdom, and are amenable to the Law, that then and in such case, if such person and persons do by the 10th Day of *August*, One Thousand Six Hundred Eighty Nine, without compulsion, of his own accord come in and deliver himself to the Lord Chief Justice of your Majesties Court of King's Bench in *Ireland*, or to any other of the Judges of the said Court, or of any other of your Majesties four Courts in *Dublin*, or to any Judge of Assize in their Circuits, to be charged with any Treason, to be charged or imputed to him or them, that then and in such case, such person and persons (if after acquitted by the Laws of this Land, or discharged by Proclamation) shall be freed, discharged and acquitted from all pains, punishments and forfeitures by this Act incurred, laid, or imposed; any thing in this Act to the contrary in any wise notwithstanding.

**And whereas** the several other Persons hereafter named, *viz.* *John Veasy* L. Archbishop of *Tuum*, &c. have absented themselves from this Kingdom, and have gone into *England*, or some other places beyond the Seas, since the 5. Day of *November* last, or in short time before, and did not return, although called Home by your Majesties gracious Proclamation. Which absenting, and not returning, cannot be construed otherwise than to a wicked and trayterous purpose, and may thereby justly forfeit all their right and pretensions to all and every the Lands, Tenements, and Hereditaments to them belonging in this Kingdom. **Be it therefore Enacted** by the Authority aforesaid, That in case the said person and persons do not by the 1st Day of *September*, One thousand Six hundred Eighty and Nine, of his or their own accord, without compulsion return into this Kingdom, and tender him and themselves to the Chief Justice of



his Majesty's Court of King's-Bench, or to some other Judge of the said Court, or Judge of Assize in the Circuit, or any of the Lords of your Majesty's most Honourable Privy Council, to be charged with any Crimes to him or them to be imputed, that then, or in such case he or they, upon such his or their Return, shall be convicted by Verdict of Twelve Men, or by his or their own Confession, upon his or their Arraignment for Treason, or upon his or their Arraignment stand Mute, such person and persons so Absent, and not returning, as aforesaid, (or after his or their Return, being Convict of High-Treason as aforesaid) shall from and after the First Day of September, One thousand six hundred eighty nine, be deemed, reputed, and taken as Traytors, Convict and Attainted of High-Treason; and shall suffer such Pains of Death, and other Forfeitures and Penalties, as in Cases of High-Treason are accustomed. But in case such Person or Persons so returning, be upon such his or their Tryal acquitted or discharged by Proclamation, then such Person and Persons respectively shall from thenceforth be freed, discharged, and acquitted from all Pains, Punishments and Forfeitures by this Act incurred, laid or imposed; any thing in this Act to the contrary notwithstanding.

And whereas the several Persons hereafter named, viz. Robert Ridgway Earl of London-Derry, &c. have before the said fifth Day of November last, absented themselves from this Kingdom, and live in England, Scotland, or the Isle of Man, and there now abide; and by their not coming or returning into this Kingdom upon your Majesty's Proclamation, to assist in Defence of this Realm, according to their Allegiance, must be presumed to adhere to the said Prince of Orange, in case they return not within the time by this Act prescribed, and thereby may justly forfeit all the Lands, Tenements and Hereditaments which they or any of them are intituled unto, within this Kingdom. Be it therefore enacted, by the Authority aforesaid, that in case the said Person and Persons last mentioned, do not by the first Day

Day of *October*, One thousand six hundred eighty nine of his and their own Accord, without Compulsion, return into this Kingdom, and tender him and themselves to the Chief Justice of your Majesties Court of Kings-Bench, or to some other Judge of the said Court, or Judge of Assize in his Circuit, or to any of the Lords of your Majesties most Honourable Privy Council, to be charged with any Crime or Crimes to him or them, to be charged or imputed, that then, or in case he or they, upon such, his or their Return, shall be convict by Verdict of twelve Men, or by his or their own Confession, upon his or their Arraignment, for Treason, or upon his or their Arraignment, stand mute; such Person and Persons so absent, and not returning as aforesaid, or after his or their Return being convict of Treason as aforesaid, shall from and after the said first Day of *October*, One thousand six hundred eighty nine, be deemed, reputed and taken as Traytors, convict and attainted of High-Treason, and shall suffer such Pains of Death, and other Forfeitures and Penalties, as in Cases of High-Treason is accustomed: But in case such Person and Persons so returning, upon such, his or their Tryal, be acquitted or discharged by Proclamation, then such Person and Persons respectively shall from thenceforth be freed, discharged and acquitted from all Pains, Punishments and Forfeitures by this Act incurred, laid or imposed, any thing in this Act to the contrary notwithstanding.

*Provided* always that in case your Majesty shall happen to go into the Kingdom of *England* or *Scotland* before the First Day of *October*, One thousand six hundred eighty nine; the said Sir *William Meridith*, &c. whose Dwelling and Residence always hath been in *England*, shall give your Majesty such Testimony of their Loyalty and Fidelity, as that your Majesty will be pleased on or before the said First Day of *October*, One thousand six hundred eighty nine, to certify under your Privy Signet or Sign manual unto your Chief Governor or Governors of this Kingdom; That your Majesty is satisfied or as-

fured of the Loyalty and Fidelity of the Persons last included, or of any of them; That then if such Certificate shall on or before the First Day of *November*, One thousand six hundred eighty nine, be produced to your chief Governor or Governors of this Kingdom, and enrolled in your Majesties High Court of Chancery; the same shall be a sufficient Discharge and Acquittal to such of the said Persons last included, and every of them respectively, whose Loyalty and Fidelity your Majesty will be pleased to certify in manner as aforesaid. And be it further enacted, that in the mean time, and untill such Return and Acquittal, all the Lands, Tenements and Hereditaments within this Kingdom, belonging to all and every Absentee and Absentees or other Person, to be attainted as aforesaid, shall be and are hereby vested in your Majesty, your Heirs and Successors, as from the First Day of *August* last past. And be it further enacted, by the Authority aforesaid, that all and every such Person and Persons, as by any the foregoing Clauses, is, are or shall be respectively Attainted, shall as from the First Day of *August*, One thousand six hundred eighty eight, forfeit unto your Majesty, your Heirs and Successors, all such Mannors, Lands, Tenements and Hereditaments, and all Right, Title, Service, Chiefery, Use, Trust, Condition, Fee, Rent-Charge, Right of Redemption of Mortgages, Right of Entries, Right of Action, or any other Interest of what nature or kind soever, either in Law or Equity, of, in, or unto any Lands, Tenements or Hereditaments within this Kingdom, belonging or appertaining to such Person or Persons, so as aforesaid Attainted, or to be Attainted, in his or their own Right, or to any other in Trust for him or them, on the said First Day of *August*, One thousand six hundred eighty eight, or at any time since; and all the said Lands, Tenements and Hereditaments, so as aforesaid, forfeited unto and vested in your Majesty your Heirs and Successors, hereby are and shall be

be vested in your Majesty, your Heirs and Successors, whether such Person or Persons were seized thereof in Fee absolute or conditional, or in Tayl or for life or lives, and that freed or freely discharged of and from all Estates Tayl, and for Life, and from all Reversions and Remainders for life, for Years, or in Fee absolute or conditional, or in Tayl, or to any Person or Persons whatsoever, such Remainder as by one Act or Statute of this Present Parliament, intituled, *An Act for repealing the Acts of Settlement and Explanation, Resolution of Doubts, and all Grants, Patents, and Certificates* pursuant to them or any of them, or by this present Act are saved and preserved, always excepted and fore prized.

**Provided** always that the Nocency or Forfeiture of any Tenant in Dower, Tenant by the Courtsey, Joyntress for life, or other Tenant for Life or Lives in actual Possession, shall not extend to bar, forfeit, make void or discharge any Reversion or Reversions vested in any Person or Persons, not ingaged in the Usurpation or Rebellion aforesaid, such Reversion and Reversions being immediately depending or expectant upon the particular Estate of such Tenant in Dower, Tenant by the Courtsey, Joyntress for Life, or other Tenant for Life or Lives; any thing in the said Act of Repeal, or in this present Act to the contrary notwithstanding.

**Provided** always, and be it further enacted by the Authority aforesaid, that nothing in this present Act contained, shall any way extend, or be construed to extend, to forfeit or vest in your Majesties, your Heirs or Successors, any Remainder or Remainders for valuable considerations, limited or settled by any Settlement or Conveyance made for such valuable Considerations, either of Marriage or Marriage Portion, or other valuable Consideration whatsoever, upon any Estate for Life or Lives, to any Person or Persons not concerned in the Usurpation or Rebellion aforesaid: such Remainder or Remainders as are limited or settled by any

Conveyance, wherein there is any Power for revoking and altering all or any the Use or Uses therein limited, and also such Remainder and Remainders as are limited upon any Settlement or Conveyance of any Lands, Tenements and Hereditaments, commonly called Plantation-Lands; and all Lands, Tenements and Hereditaments held or enjoyed under such Grants from the Crown, or Grants upon the Commission or Commissions of Grace for Remedy of defective Titles, either in the Reign of King *James* the first, or King *Charles* the first; in which several Grants respectively there are Proviso's or Covenants for raising or keeping any number of Men or Arms for the King's Majesty against Rebels and Enemies, or for raising of Men for his Majesties Service, for Expedition of War, always excepted and foreprized. All which Remainders limited by such Conveyances wherein there is a Power of Revocation for so much of the Lands, Uses and Estates therein limited, as the said Power doth or shall extend unto; and all such Remainders as are derived or limited for or under such interest made of Plantation-Lands, or other Lands held as aforesaid, under such Grants from the Crown; and all and every other Remainder and Remainders, Reversion and Reversions not herein mentioned, to be saved and preserved, shall by the Authority of this present Parliament, be deemed, construed and adjudged void, debarred and discharged to all Intents and Purposes whatsoever, against your Majesty, your Heirs and Successors, and your and their Grantees or Assignees; and the said Lands, Tenements and Hereditaments, belonging to such Rebels as aforesaid, shall be vested in your Majesty, your Heirs and Successors freed and discharged of the said Remainder and Remainders, and every of them. And to the end the Reversions and Remainders saved and preserved by this Act may appear with all convenient speed,

Be it further enacted by the Authority aforesaid, That the respective Persons, intituled to such Remainders and Reversions, do within sixty Days next after the

the

the first sitting of the Commissioners, for executing the said *Act of Repeal*, and this present Act, exhibit their Claims before the said Commissioners, and make out their Titles to such Remainder or Remainders, so as to procure their Adjudication and Certificate for the same, or the Adjudication or Certificate of some three or more of them: And further, That all Remainders, for which such Adjudications and Certificates shall not be procured, at or before One hundred and twenty Days after the first sitting of the said Commissioners, shall be void, and for ever barred and excluded; any thing in this Act, or other Matter, to the contrary in any wise notwithstanding. All which Lands, Tenements and Hereditaments mentioned as aforesaid, to be forfeited unto, and vested in your Majesty, by any the Clauses aforesaid, are hereby declared to be so forfeited unto, and vested in your Majesty, without any Office or Inquisition thereof, found or to be found; and the same to be to the Uses, Intents and Purposes in the said *Act of Repeal*, and in this present Act, mentioned and expressed.

And whereas several Persons hereafter named, *viz.* *Lyonel* Earl of *Orrary*, &c. are, and for some time past have been absent out of this Kingdom, and by reason of Sicknes, Nonage, Infirmities, or other Disabilities, may for some time further be obliged so to stay out of this Kingdom, or be disabled to return thereunto. Nevertheless, it being much to the weakening and impoverishing of this Realm, that any of the Rents or Profits of the Lands, Tenements or Hereditaments therein, should be sent into, or spent in any other Place beyond the Seas, but that the same should be kept and employed within the Realm for the better Support and Defence thereof;

Be it further enacted, by the Authority aforesaid, That all the Lands, Tenements and Hereditaments, Use, Trust, Possession, Reversion, Remainder, and all and every other Estate, Title and Interest whatsoever, belonging or appertaining to all and every of the Persons herein

herein before last mentioned, within this Kingdom, be and are hereby vested in your Majesty, your Heirs and Successors, to the Use of your Majesty, your Heirs and Successors.

**Provided** always, That if any Person or Persons, in the next foregoing Clause included, have hitherto behaved themselves Loyally and Faithfully to your Majesty; that then if they, or any of them, their or any of their Heirs, do hereafter return into this Kingdom, and behave him or themselves as becometh Loyal Subjects; and do, on or before the last day of the first Term next ensuing, after such their Return, exhibit his or their Petition or Claim, before the Commissioners for execution of the said Acts, if then sitting; or in his Majesty's High Court of *Chancery*, or in his Majesty's Court of *Exchequer*, for any such Lands, Tenements, or Hereditaments, and make out his or their Title thereunto, and obtain the Adjudication and Decree of any of the said Courts, of and for such his or their Title, That then, and in such Case, such Adjudication and Decree shall be sufficient to all such Person or Persons, for divesting and restoring such Estate, and no other as shall be therein and thereby to him or them adjudged and decreed; and that the Order of any of the said Courts shall be a sufficient Warrant to all Sheriffs, or other proper Officers to whom the same shall be directed, to put such Person or Persons in the actual Seizin and Possession of the said Lands, any thing in this Act contained, or any other Statute, Law, or Custom whatsoever to the contrary in any wise notwithstanding.

**Provided** always, And be it further enacted, by the Authority aforesaid, that neither the said *Act of Repeal*, or this Present, or any thing in them, or in either of them contained, shall extend to, or be construed to Forfeit or Vest in your Majesty, your Heirs or Successors; or otherwise to Bar, Extinguish, or weaken any Right of Entry, Right of Action, Use, Trust, Lease, Condition



Condition or Equity of Redemption of any Mortgage or Mortgages, which on the said First Day of *August*, One thousand six hundred eighty eight, belonged or appertained to any Persons, not being forfeiting Persons, within the true intent and meaning of the said *Act of Repeal*, or of this Present Act; and which ever since the said First Day of *August*, One thousand six hundred eighty eight, continued or remained in such Persons, not being forfeiting Persons, or devolved, descended, or come from them, or any of them, to any of their Heirs, Executors or Administrators, not being forfeiting Persons as aforesaid, any thing in this Act, or the said *Act of Repeal*, to the contrary notwithstanding.

**Provided** always, That the said Person or Persons, claiming such Right of Entry, Right of Action, Use, Trust, Lease, Condition, or Equity of Redemption of Mortgage, do, and shall exhibit his and their Claim for the same before the Commissioners for execution of the said *Act of Repeal*, or of this present Act, within sixty Days after the first sitting of the said Commissioners, and procure the Adjudication of them, or any three or more of them thereupon, within one hundred and twenty Days after the said first sitting of the said Commissioners.

**And whereas** by one or more Office or Offices, in the Time of the Earl of *Stafford's* Government in this Kingdom, in the Reign of King *Charles* the First, of ever blessed Memory, all, or a great part of the Lands, Tenements and Hereditaments in the Province of *Conaught*, and Counties of *Clare*, *Limerick* and *Tipperrary*, were vested in his Majesty: And by the *Acts of Settlement and Explanation*, the said Office and Offices are declared to be Null and Void, since which time the said Acts have been by the said *Act of Repeal*, repealed, and thereby some Prejudice might arise or accrue to the Proprietors concerned in them Lands, if not prevented:

Be

Be it therefore enacted by the Authority aforesaid, That the said Office and Offices, and every of them, commonly called the *Grand Office*, and the Title thereby found, or endeavoured to be made out or set up, from the time of the finding or taking thereof; was and is hereby declared to be Null and Void, to all Intents and Purposes whatsoever. **Provided** that nothing therein contained shall any way extend, or be construed to extend to charge any Person or Persons who hath, *bona Fide*, paid any Rents or Arrears of Rent, that have been due and payable out of any Lands hereby vested in your Majesty; or to charge any Steward or Receiver, that received any such Rents, or Arrears of Rents, if he, *bona Fide*, paid the same; but that he and they shall be hereby discharged, for so much as he or they so, *bona Fide* paid, against your Majesty, your Heirs and Successors. **Provided** always, and it is hereby Enacted, That every Person not being a forfeiting Person, within the true intent and meaning of the said former Act, or of this present Act; and who before the seventh Day of *May*, One thousand six hundred eighty nine, had any Statute Staple, or Recognizance for payment of Money; or any Mortgage, Rent-Charge, Portion, Trust, or other Incumbrance, either in Law or Equity, or any Judgment, before the Two and twentieth Day of *May*, One thousand six hundred eighty nine, for payment of Money, which might charge any of the Estates, Lands, Tenements, or Hereditaments, so as aforesaid forfeited unto, and vested in your Majesty, shall and may have the benefit of the said Statutes Staple, Judgments, Recognizances, Mortgages, Rent-Charge, Portions, Trust, and other Incumbrances, out of the Estate or Estates which should be liable thereunto, in Case the said former Act, or this present Act had never been made. **Provided** always, that the Person and Persons who had such Statutes Staple, Judgments, Recognizances, or other Trusts or Incumbrances, do claim the same before the

the Commissioners, for the Execution of the said former Act, within two Months after the first sitting of the said Commissioners, and procure their Adjudication thereof, within such reasonable Time as the said Commissioners shall appoint for determining the same. And to the end that such Person and Persons as shall have any of the said Lands, Tenements or Hereditaments granted unto him as aforesaid, may know the clear Value of the said Lands, Tenements and Hereditaments so to be granted unto him above all Incumbrances, and may enjoy the same against all Statutes Staple, Judgments, Recognizances, Mortgages, Rent-Charges, and other Incumbrances not claimed and adjudged as aforesaid;

**Be it therefore enacted**, by the Authority aforesaid, That all such Lands, Tenements and Hereditaments, as shall be forfeited unto and vested in your Majesty, and granted by Letters Patents pursuant to the said former Act, or this present Act, shall be and are hereby freed, acquitted and discharged of and from all Estates, Charges and Incumbrances whatsoever, other than what shall be claimed and adjudged as aforesaid.

**And** whereas by one private Act of Parliament, intituled, *An Act for securing of several Lands, Tenements and Hereditaments to George Duke of Albemarle*, which Act was passed in the Reign of King Charles the Second; some Lands, Tenements and Hereditaments in this Kingdom, which on the two and twentieth Day of October, One thousand six hundred forty one, belonged to some ancient Proprietor or Proprietors, who were dispossessed thereof by the late usurped Powers were secured and assured unto the said George Duke of Albemarle, by means whereof the ancient Proprietors of the said Lands may be barred and deprived of their ancient Estates, unless the said Act be repealed, though such ancient Proprietor or Proprietors be as justly intituled to Restitution, as other ancient Proprietors who were dispossessed by the said Usurper, and barred by the late Acts of Settlement and Explanation:

**Be**

**Be it therefore enacted,** That the said Act for securing of several Lands, Tenements and Hereditaments to *George Duge of Albemarle*, be and is hereby repealed to all Intents and Purposes whatsoever: And that the Proprietors of the said Lands, and their Heirs and Assigns be restored to their said ancient Estates in the same manner with the said other ancient Proprietors, their Heirs and Assigns. And whereas several ancient Proprietors, whose Estates were seized and vested in Persons, deriving a Title under the said Acts of Settlement or Explanation, have in some time after the passing of the said Acts, purchased their own ancient Estates, or part thereof, from the Persons who held the same under the said Acts as aforesaid, which old Proprietors would now be restored to their said ancient Estates, if they had not purchased the same. And for as much as the said ancient Proprietors or their Heirs should receive no Benefit of the said *Act of Repeal*, should they not be reprimed for the Money paid by them for their said ancient Estates:

**Be it therefore enacted,** by the Authority aforesaid, That all and every the ancient Proprietor or Proprietors, or their Heirs, who have laid out any Sum or Sums of Money, for the Purchase of their own ancient Estates, or any part thereof, as aforesaid, shall receive out of the common Stock of Reprizals a sufficient Recompence and Satisfaction for the Money laid out or paid by him or them for the Purchase of their said ancient Estate at the Rate of ten Years Purchase; any Clause, Act or Statute to the contrary in any wise notwithstanding.

**And for the Prevention of all unnecessary Delays and unjust Charges,** which can or may happen to the Subjects of this Realm before their full and final Settlement, **Be it further enacted,** by the authority aforesaid, That where the Commissioners for Execution of the said *Act of Repeal*, or any three or more of them, shall give any Certificate under his and their Hands and Seals to any Person or Persons, Bodies Politick or Corporate,

porate, in order to the passing of any Letters Patents, according to the said Act, and shall likewise return a Duplicate of such Certificate into his Majesties Court of Exchequer at *Dublin*, to be there enrolled, and the Person and Persons, Bodies Politick or Corporate, to whom such Certificate shall be given, shall during the Space of six Months next ensuing the Date thereof, diligently prosecute the having and obtaining Letters Patents accordingly, but shall thereof be delayed and hindered by the Neglect of any Officer or Officers; that then and in such Case the several and respective Persons, Bodies Politick and Corporate, to whom and in whose behalf such Certificate shall be given or granted, shall hold and enjoy the several Messuages, Mannors, Lands, Tenements and Hereditaments, in the several and respective Certificates mentioned and allotted, according to such Estate, and under such Rent as is therein mentioned, as fully and amply to all Intents and Purposes, as if Letters Patents thereof had been granted and perfected according to the Direction in the said former Act; any thing in this, or the said former Act, or any other Law, Statute or Usage to the contrary notwithstanding.

**And whereas**, by the Hardships and Oppressions introduced by the said Act of Settlement and Explanation, some antient Proprietors who would have been restorable by the said *Act of Repeal*, have been necessitated to accept of Leases for Life, Lives or Years, or Gifts in Tayl, or other Conveyances of their own respective Estates, and have contracted to pay some Rents, Duties, or other Reservations out of such their ancient Estates, by which Acceptance of Leases or Gifts before-mentioned, and by the said Agreements to pay Rents, Duties or Reservations for the same, the said ancient Proprietors may be barred or stopped, and concluded from the Benefit of Restitution, intended for ancient Proprietors by the said *Act of Repeal*;

**Be it therefore enacted**, That the Acceptance of any such Lease or Leases, Gift or Gifts in Tayl, or  
any

any Agreement or Agreements upon any such Account for Payment of Rents, Duties, or any other Reservation for such their respective ancient Estate or Estates, shall be no way prejudicial or binding, or conclusive to any such ancient Proprietor, or to his or their Heirs, Executors, or Administrators, who have not actually by some legal ways or means, released his or their Right to his or their said ancient Estates, unto their said Lessors or Donors, any thing herein, or in the said *Act of Repeal*, to the contrary notwithstanding.

**Whereas** some or most of the Lands to be given in Reprizals, have not been surveyed by the Surveys, commonly called the *Down-Survey*, or *Strafford-Survey*; and that a certain way is necessary to be prescribed for ascertaining the Quit-Rents now made payable thereout:

**Be it therefore enacted** by the Authority aforesaid, That the Commissioners for the Execution of the said *Act of Repeal*, or any three of them, shall and may be empowered to ascertain such Quantities payable out of such Lands so to be given in Reprize, and to that Purpose to issue Commissions for Valuations or Surveys, as they shall think fit; and that such Surveys shall be made according to the Rules and Methods used for the *Down-Survey*, wherein {the profitable is to be thrown in with the unprofitable; and where the Lands appear barren, or the Quit-Rents by the said *Act of Repeal*, proper or fit to be reduced, it shall and may be lawfull for them to reduce the same; in which Case such reduced or reserved Quit-Rents, shall be and are hereby the only Quit-Rent payable out of the said Lands, if such Quit-Rents be more than the Crown-Rents, before this *Act* payable out of the said Lands; But in case the ancient Crown-Rent be more, the greater Rent shall be the Rent reserved thereout.

**Provided** yet likewise, that the Commissioners for the Execution of the said *Act of Repeal*, or in Default of them the Barons of their Majesties Court of Exchequer,

quer, within five Years after the first sitting of the Commissioners for the Execution of the said Act, shall be and are hereby impowered to reduce the Quit-Rents by the said Act due and payable out of Lands, by the said *Act of Repeal* to be restored, or formerly restored to the former Proprietors thereof, where the Lands are barren or of so small Value that the Quit-Rent doth amount to the fourth part of the Value of the Lands, and may be Discouragement to the Plantation of the said Lands, and that such ascertaining or abating of Quit-Rents under the Hands and Seals of the said Commissioners or Barons respectively, shall be as good and effectual, as if the same had been enacted by these Presents, any thing herein, or in the said *Acts of Repeal* contained to the contrary notwithstanding.

**And be it further enacted,** That the Commissioners to be appointed for setting forth Reprizals pursuant to the said *Act of Repeal*, or any three of them, shall out of the Stock of Reprizals therein, and in this present Act, or in either of them mentioned, set forth and allot Reprizals to such Person and Persons, as by Virtue of this present Act are appointed to be reprized, and shall and may also execute such other parts of this Act as are to be executed by Commissioners.

**And whereas** divers Lands, Tenements and Hereditaments forfeited unto and vested in your Majesty, are or may be found to be liable to divers Debts or other entire Payments saved by this Act: And for levying and receiving the same, the Person or Persons intitled thereunto, might charge any part of the Lands, Tenements or Hereditaments originally liable to the said Debts or Payments, with more than a just Proportion thereof, whereby some of the Persons to whom part of the said Lands, Tenements or Hereditaments shall be allotted or granted in Reprizal, may be overcharged in such Part or Proportion of the said Lands, Tenements or Hereditaments, as shall be so to him or them granted or allotted, which may occasion great Prejudice and



and Loss to some of the said reprimable Persons, if due Course be not taken for apportioning the said Debts and Payments: For Remedy whereof, **Be it enacted**, by the Authority aforesaid, that the Commissioners for Execution of the said *Act of Repeal*, and this present Act, or any three or more of them, be and are hereby empowered and required equally to apportion such Debts and Payments as shall appear to them to be chargeable upon, or leviable out of any Lands, Tenements and Hereditaments, to be set forth for Reprimals as aforesaid; and to ascertain what Proportion of such Debts or Payments, each and every Proportion of the Lands, Tenements and Hereditaments, which were originally liable thereunto, and which shall be separately set forth for Reprimals as aforesaid, shall remain liable to pay or discharge; and the respective Grantees, and every of them, and their respective Proportions of the said Lands, Tenements and Hereditaments to them allotted for Reprimals, shall not be liable to any more of the said Debts or Payments, than by the said apportionment shall be appointed and directed, which Proportion of the said Debts or Payments is to be inserted in the Certificate, to be granted of the Lands liable thereunto, if the Person or Persons obtaining such Certificate, shall desire the same; any thing in this, or the said *Act of Repeal* to the contrary notwithstanding.

**And it is further enacted**, by the Authority aforesaid, that all Letters Patents hereafter to be granted of any Offices or Lands whatsoever, shall contain in the same Letters Patents, a Clause requiring and compelling the said Patentees, to cause the said Letters Patents to be enrolled in the Chancery of *Ireland*, within a time therein to be limited; and all Letters Patents wherein such Clause shall be omitted, are hereby declared to be utterly void and of none effect.

**Provided** always, that if your sacred Majesty at any time before the First Day of *November* next, by Letters Patents under the Broad Seal of *England*, if residing there;

there ; or by Letters Patents under the Great Seal of Ireland, during their Majesties abode here, shall grant your gracious Pardon or Pardons to any one or more of the Persons herein before mentioned or intended to be Attainted, who shall return to their Duty and Loyalty ; that then and in such case, such Person and Persons so pardoned, shall be and is hereby excepted out of this present Act, as if they had never been therein named, or thereby intended to be Attainted, and shall be and are hereby acquitted and discharged from all Attainders, Penalties and forfeitures created or inflicted by this Act, or the said *Act of Repeal*, excepting such Share or Proportion of their real or personal Estate, as your Majesty shall think fit to except or reserve from them, any thing in this present Act, or in the said *Act of Repeal*, contained to the contrary notwithstanding.

**Provided** always, that every such Pardon and Pardons be pursuant to a Warrant under your Majesties Privy Signer and Sign manual, and that no one Letters Patents of Pardon shall contain above one Person ; and that all and every such Letters Patents of Pardon and Pardons, shall be enroled in the Rolls Office of your Majesties High Court of Chancery in this Kingdom, at or before the last Day of the said Month of *November* ; or, in Default thereof, to be absolutely void and of none effect, any thing herein contained to the contrary notwithstanding.

**Provided** likewise, that if any Person or Persons so pardoned, shall at any time hereafter the Date of the said Pardon, join with, or aid or assist any of your Majesties Enemies, or with any Rebels in any of your Majesties Dominions, and be thereof convict or Attainted by any due Course of Law, that then and in such Case they shall forfeit all the Benefit and Advantage of such Pardon, and shall be again subject and liable to all the Penalties and Forfeitures inflicted on them and every of them, by this or the said *Act of Repeal*, as if such Pardon or Pardons had never been granted.

**Provided** always, that nothing in this Act contained, shall extend, or be construed to extend to, or vest in your Majesty any Lands, Tenements or Hereditaments, or other interest of any antient Proprietor, who by the said *Act of Repeal*, is to be restored to his ancient Estate; but that all such Person and Persons, and all their Right, Title and interest, are and shall be saved and preserved according to the true Intent and Meaning of the said Act, any thing in these Presents to the contrary notwithstanding.

Richard Darling,

*Copia vera.*

*Cleric. in Offic. Mri. Rot.*

*The Persuasions and Suggestions the Irish Catholicks make to his Majesty; Supposed to be drawn up by Talbot, titular Arch-bishop of Dublin, and found in Col. Talbot's House, July 1. 1671.*

1. **T**Hat the Rebellion in *Anno 1641.* was the Act of a few, and out of fear of what was doing in *England.* That they were provoked and driven to it by the English to get their forfeitures. That they were often willing to submit to the King, and did effectually *Anno 1648;* and held up his Interest against the Usurper, who had murdered his Father, till 1653. After which time they served his Majesty in Foreign Parts till his Restauration.

2. That they acquiesce in his Majesty's Declaration of *November 30. 1660.* And are willing that the Adventures and Souldiers, should have what is therein promised them; but what they and others have more, may be resumed and disposed of as by the Declaration.

3. They

3. They desire for what Lands intended to be restored them, shall be continued to the Adventures and Soldiers, that they may have a Compensation in Money out of his Majesty's new Revenues of Quit-Rents Payable by the Adventurers and Soldiers. The Hearth-Money and Excise being such Branches as were not in 1641; and hope that the one will ballance the other.

4. They say, That his Majesty has now no more need of an Army than before 1641; That the remainder of his Revenue will maintain now, as well as then, what Forces are necessary.

5. They desire to be restored to Habitations and Freedom within Corporations. 1. That the General Trade may advance. 2. That Garisons and Cittadels may become useless. 3. That they may serve his Majesty in Parliament, for bettering his Revenue, and crushing and securing the Seditious in all places.

6. They desire to be Sheriffs and Justices of the Peace, &c. for the Ends and Purposes aforesaid; and to have the Power of the Civil and Ordinary Militia.

7. They also desire to be formed into a Militia, and to be admitted to be of the standing Army.

8. That their Religion is consonant to Monarchy and implicit Obedience. That they themselves have actually served his Majesty in Difficulties. That they have no other way to advantage themselves, than by a strict adherence to the King. That they have no other Refuge; whereas many of his Majesty's Subjects do learn hard another way.

9. That the Roman Catholicks are six to one of all others; that of the said one to six, some are Atheists and Neuters, who will profess the Roman Catholick Religion; others devoutly given, will affect the same course; that the rest may have their Liberty of Conscience, and may be corrected in case they abuse it.

10. That the Roman Catholicks having the full Power of the Nation, they can at all times spare his Majesty

an Army of Sixty thousand Men, there being Twelve hundred thousand Souls in *Ireland*; and so consequently an Hundred and fifty thousand between sixteen and sixty Years old: Which forces if allowed to Trade, shall have Shipping to transport themselves when his Majesty pleaseth.

11. That they have a good Correspondence abroad, for that great numbers of their Nation are Soldiers, Priests and Merchants, in esteem with several great Princes and their Ministers.

12. That the Toleration of the Roman Catholicks in *England* being granted, and the Insolence of the *Hollanders* taken down, a Confederacy with *France* which can influence *England*, as *Scotland* can also, will together, by God's Blessing, make his Majesties Monarchy Absolute and Real.

13. That if any of the *Irish* cannot have their Lands in specie, but Money in lieu, as aforesaid, some of them may transport themselves into *America*, possibly near *New-England*, to check the growing *Independents* of that Country.

14. That the next Parliament being formed as aforesaid, great Sums of Money will be given his Majesty. Query, Whether the Roman Catholick Clergy may not be admitted into the House of Peers this next Parliament, or stay a little?

15. That for effecting the Premises, 'tis better his Majesty should govern *Ireland* by a Committee of such of his Privy Council as approved the Conjunction with *France*, and as are not concerned in *Ireland*, rather than by the Council of *Ireland*.

16. Let such a Lord Lieutenant be in *Ireland*, who in Inclination, and for fear of being displaced, will begin this Work of laying the Foundation of his Majesties Monarchy, and hazard his Concernments upon that account.

17. That the Army be gradually reformed, and opportunity taken to displace Men not affected to this  
Settle-

Settlement ; and to put into the Army or Garisons in *Ireland*, some fit Persons to begin this Work ; and likewise Judges upon the Benches.

18. *Query*, What Precedents may be found to break the several Farms, and to be Master of the *Exchequer*, and pole the Gains of the Bankers, Brewers, and Farmers ?

1. Whether the paying of a Fine or Income upon all Grants of Charters, Officers and Commanders, may not bind and fasten the Grant, Duty, and Allegiance, as with Silver Chains, more firmly to the King's Government ;

2. Whether any Grants may be presumed to be now obtained, without paying a great Value, at least to some great Officer or Courtier for procuring the same ?

3. Whether it be not reasonable, a Year's Value be paid as a gratefull Acknowledgment to the Prince's Bounty upon Temporal Grants, as First Fruits from Spiritual ?

4. Whether to reserve such Grants to the immediate dispose of the King, be not the Interest of the Crown, and a Means to create a closer adherence to the Person of the Prince, and so make Monarchy more Absolute and real, instead of factious Dependences on great Men, who are often acted more by Self-interest than the Advantage of their Master ?

5. Whether a considerable Revenue may not be raised to the Crown, that if such Courtiers received it upon procuring Grants, it were paid to the Private or Privy-Purse ?

6. Whether the Subject would not more chearfully pay a Years Value or two to the Prince upon passing Grants, than to be liable to the unreasonable Exaction of hungry Courtiers, who sometimes make a Prey, both of the Subject and the Princes Favour ?

7. Whether many worthy and deserving Men have not been put by and denied the benefit of his Majesty's Grant by false Insinuation, for not gratifying some such viperous Officers ?

8. Whether his Majesty might not expect to have a fitter Person recommended, when there is no Advantage to be made by their Recommendations, that when Offices are canted by Courtiers, and such only recommended as will give most, but the least fit?

9. Whether if by the Silver Key Men chance to get admittance into Offices, the Prince may not make Advantage by their Misbehaviour, since by losing both their Mony and Employment, the King will not only get a Fine and better Servants, but also gratify the People by displacing an ill One?

*A Copy of a Letter of the Irish Clergy to King James, in favour of the Earl of Tyrconnel. Found amongst Bishop Tyrrel's Papers in Dublin.*

S I R,

S Ince it has pleased the Almighty Providence, by placing your Majesty in the Throne of your Ancestors to give you both Authority and Occasion of exercising those Royal Verrues which alone do merit, and would acquire you the Crown to which you were born; We, though comprehended in the general Clemency and Indulgence which you extend to the rest of our fellow Subjects, are nevertheless so remote from your Majesty's Presence, that our Prayers can have no access to you but by a Mediator. And since of all others the Earl of *Tyrconnel* did first espouse, and chiefly maintain, these Twenty five Years last past, the Cause of your poor oppressed Roman Catholick Clergy, against our many and powerfull Adversaries; and is now the only Subject of your Majesty, under whose Fortitude and Popularity in this Kingdom, we dare chearfully and with assurance own our Loyalty, and assert your Majesty's Interest: Do make it our humble Suit to your Majesty, that you will be pleased to lodge  
your



your Authority over us in his Hands, to the Terror of the Faction, and Encouragement of your faithfull Subjects here; since his Dependance on your Majesty is so great, that we doubt not but that they will receive him with such Acclamations, as the long Captivated *Israelites* did their Redeemer *Mordecai*. And since your Majesty in Glory and Power does equal the mighty *Abashuerus*; and the Vertue and Beauty of your Queen is as true a Parallel to his adored *Hester*; We humbly beseech she may be heard as our great Patroness, against that *Haman*, whose Pride and Ambition of being honoured as his Master, may have hitherto kept us in Slavery. And tho' we wish none the fate of so dreadfull an Example, but rather a timely Penitence and Conversion; we yet humbly crave your Majesty's Protection against all such, if it may consist with your Royal Wisdom and Pleasure, to which we with all humility submit, in the establishing of the said Earl of *Tyrconnel* in such Authority here, as may secure us in the exercise of our Function to the Honour of God, and offering up our Prayers and Sacrifice for the continuation of your Majesty's long and prosperous Reign over us.

Dublin the of  
July, 1685.

Your Majesty's most dutifull

and obedient Subjects-

*The Copy of a Letter sent the King, August 14. 1686. Found in Bishop Tyrrel's Papers, but imperfect.*

*May it please your Majesty:*

**I** Humbly beg of you, for God's sake and your own, to read what I here presume to write; not but that I know it may well be thought an inexcusable peice of Presumption in any Subject to say or write any thing

thing that may look like prescribing to a King, especially a King that from his own knowledg, and the best Mother of it, long Experience, must with universal consent be allowed the most competent Judge in his Dominions of what ought or not to be done. Yet inasmuch as your present Counsellors are for the most part divided from you by the unhappy difference in Religion, I hope your Majesty will Pardon a Loyal Plain-dealer, for presuming to offer his well-meaning Opinion of the present Posture of Affairs.

Sir, As I am one that makes it my Business to study your Interest I took the liberty of telling you in former Letters, that in order to replant Religion in your Dominions, you ought to begin with *Ireland*, where the Work is more than half done to your Hand, and where your Prerogative allows you to do with that Kingdom as you please; for it was not to be expected that *England* and *Scotland*, so irreconcilable to Popery, would consent to take off the Penal Laws by a Parliament, if not aw'd by a more faithfull Army than you have at present. And now that a needfull Alteration is begun in *Ireland*, it should be carried on speedily for your own and Catholick Subjects security; for all the Sectaries in your Dominions are so galled at some of the Fanaticks being discharged in *Ireland*, that they joyn Heads, concert Councils, swear and contrive Vengeance against the Papists, who must expect no Quarters but during your Majesty's Reign: But all good Men have reason to hope, that that God who delivered you from the manifold Dangers of your Life, and made your Enemies your Footstool, will spare your precious Life till you accomplish the glorious Work reserved for you, by that Providence that is your best Life-Guard. And 'tis the comfort of all good Subjects, that besides your being of all sides descended from healthy Parents, you have (I thank God) at present all the Symptoms of a vigorous long-lived Man; Nay, that your having been suckled by a very healthy long liv'd Woman, must

in reason contribute much to the length of your Life ; therefore put your Trust in that God that never failed any good Man that placed his Hopes with confidence in him ; and consider the Proverb, *That he that begins well, has in a manner half done his Work* ; which cannot be more aptly applied, than to the auspicious beginning of your Reign ; For God has so dashed the Enterprizes and Hopes of your Enemies, that the Terror of your Name, and their experience of your good Fortune is, with the help of the Army they gave you way to raise, sufficient, if not to change their Hearts, at least to curb their Insolence ; Therefore listen not to trimming Counsellors, whose aversion to your Religion, and cunning Design of spinning out your Life with their *pian piano*, may put them upon urging to you, that great Alterations are dangerous, when carried on otherwise than by slow and imperceptible Degrees : Which is true, where matters are not so ordered in point of Power, as not to need fear a Perturbation in the State ; but otherwise, Celerity and Resolution adds Life and Vigour to all actions, especially such as relate to Change, which is often prevented by tedious Deliberations ; for the Party fearing an Alteration, is always (as having more reason) more jealous and vigilant than he from whom it is feared ; and therefore leaves no Stone unturn'd to hinder the accomplishment of Designs, that might take effect if not marr'd for not being vigorously push'd on as soon as resolv'd upon : And as Precipitation is an Error, so is Irresolution, which is never to be practis'd by any, especially a known wise and resolute Prince ; but when the Issue of Enterprizes depends more upon Chance than a prudent management of Causes, and rational foresight of Events. But nothing causes Irresolution more, than a medly of Counsellors, of a different Religion with their Prince, who will be on all Occasions as industrious to prevent, as he can be to carry on any Design for re-establishing Religion. And inasmuch, as Authority, Courage, and

Pru;

Prudence, are the three most necessary Qualifications in a Prince, that conduce most of all ordinary Means to the replantation of a Religion; and that all three meet to the highest pitch in your Majesty, no Protestant Counsellor will advise you to any alteration in the Government, that may directly or indirectly tend to a Change in Religion: Nay, they lie under such Jealousy and Prejudice, as may induce them to magnify Danger where there is none at all, and take no notice where it really is: A Devise much practised in *England* of late Years. Hence in the late King's time, No Danger threatned his Majesty but from the Catholick Quarters, whilst the greatest of Dangers hovered over his and your Sacred Heads, wrapt up in the dark Cloud of Fanatick Treachery and Dissimulation.

Sir, It is plain, that the reality of the Danger lies in your Delay of making your Catholick Subjects considerable. For God's sake consider, that yours and their sworn Enemies threaten aboveboard, that Popery or Protestantism must and shall be for ever extirpated in these Kingdoms, and that all Papists must inevitably split upon a Rock in that Haven where they had reason to hope for safety, if not secured against the threatening Storm during your Majesty's Life, whereof the Days and Hours are precious, considering the important Game you have to play, and the indispensable Obligation you lie under ( before that God . . .

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 and contribute as much from the Helm to the conversion of Souls, as the best of Preachers from Pulpits; for Words do but move; but examples, and especially those of great Men, have more resistless Charms, and a more than ordinary Ascendent over the Minds of the common People: Which Consideration should prevail with your Majesty to prefer, without delay, courageous,  
 wise

and zealous Catholicks, to the most eminent and profitable Stations, especially in your Household, where you are King by a twofold Title; by which means you would in a short time be stock'd with faithfull Counsellors all of a peice, that would joyn Heads, Hearts and Hands, and would contribute unanimously to the effectual carrying on so good a Design . . . . .

distinction 'twixt his politick and natural capacity, fighting against the one in defence of the other, it is to be fear'd the Protestants of your *English* Army would, in case of a Rebellion, be too inclinable to fight for the King, Parliament, and Protestant Religion, against the King as Papist, his Popish Cabals and Popery. To prevent which (as matters now stand) there is but one sure and safe Expedient, that is; to purge without delay the rest of your *Irish* Army, increase and make it wholly Catholick; raise and train a Catholick Militia there; place Catholicks at the Helm of that Kingdom; issue out *Quo-warranto's* against all the Corporations in it; put all Employs, Civil as well as Military, into Catholick Hands. This done, call a Parliament of Loyal

present Revenues of that Kingdom cannot answer other State Contingencies, and maintain a greater Army than is already on foot, especially when the Revenues rather fall than rise there. The Solution to this Objection is to be expected also from your Majesty, in whose Breast it lies to take off by a Law the Restraint that Country is under, as to Trade and Traffick, for which it lies much more convenient than any of your Kingdoms. When this is done, the *Irish* Merchants will, like the Soldiers, flock home from all parts of the World; but with this difference, that as the Soldiers come to get your Mony the Merchants will bring all their

their . . . . .

that there are few or none Protestants in that Country, but such as are joyned with the Whigs against the Common Enemy. And as to your Revenues, you are cheated of them by the mismanagement and sinistrous Practices of your Commissioners, whereof the major part are in their Hearts rank Whigs, and of a whiggish Race; and hence it is that they Employ no Officers but Men of their own Kidney, that swallow the Oaths and your Revenue to boot. And tho' no King can well avoid being imposed on by his Servants, I believe it in my Conscience, that the present Managers of your Revenues in *Ireland*, think it no Sin to rob a Popish King of his Due. Hence it is that there is an universal Agreement and Combination betwixt the ..

Merchants . . . . .

we will, by way of Retaliation, take care that no Catholick be admitted into the Civil. This Combination makes your Letters for Civil Places, the Reversion of Outlawries, and for Catholicks being admitted free of Corporations, so little regarded in *Ireland* by those that past for Tories here, &c. yet publickly espouse the whiggish Quarrel the other side the Water. I beceech you, Sir, consider, that however your Kingly Prudence may prevail with You to dissemble Your Resentments of the Noncompliance and Disobedience of Your stiff-neck'd *English* Protestant Subjects, You ought to exert Your Regal Authority in *Ireland*, a Kingdom more peculiarly Your own, where . . . . .

month before, or at least not outlive Your Majesty a month ( for if that poor Nation be not made considerable during Your Reign, his

his Lordship must not hope for the Favour my Lord *Stafford* had, of being legally Murdered by a formal Tryal, but may well expect, (all Formality laid aside) to be sacrificed to the unbridled Fury of the lawless Rabble, and dissected into little Morfels, as the *De-Wits* were in *Holland*. And truly the Fanaticks threaten no less; and it were to be wished they cried out upon more of Your Ministers than they do at present; for You may take it for granted, they will never speak well of Your real Friends . . . . .

. . . . . other will endeavour to marr, and the work will go on like that of *Babel*, confusedly, for want of good Intelligence among the Workmen.

Sir, You are under God the great Architect, that will, with the Blessing of Jesus, live to see the glorious Structure fully finish'd: In order to which it is requisite, You lose no time in making *Ireland* intirely Your own, that *England* and *Scotland* may follow. You are gon too far, if You do not go farther; not to advance, is to lose Ground; Delays are dangerous, and all the World allow Expedition and Resolution to , . . .

. . . . . if this were once compassed, *France* could no more hope upon a falling out with *England*, to take advantage of the diversity of our Sects, and what may spring thence, Domistick Jars and Divisions.

Sir, Notwithstanding the Doubts and Fears of Trimming Courtiers, and some Cow-hearted Catholics, You may live long enough to undertake and Crown this great Work, with the Grace and Assistance of the same Almighty God that defeated the Rebels in the *West*, and made them instrumental in settling You in Your Throne, and that permitted this Country to be lately sprinkled with the Blood of Martyrs, which must  
infal-



Infallibly contribute to the Conversion of Souls in this Kingdom; for the Blood of Martyrs is and ever was the fruitfull Seed of the Church: The Seed is sown in many parts of *England*, and the Harvest will without doubt be great and plentiful, but the Workmen too too few, if You do not provide your self with Catholick Privy-Counsellors, Ministers, Judges, Officers Civil and Military, and Servants: As to the Choice of which, I will mind Your Majesty of the Advice given *Moses* by *Jethro* his Father-in-Law, in the following words; *Provide out of all the People, able Men, such as fear God, Men of truth, hating Covetousness.* When Your Counsellors and Ministers are thus qualified, and not till then, You may hope to do what becomes a *James* the second. And to furnish Your self with able Men, You must follow Your Royal Father's Advice to the Prince of *Wales*; that is, With an equall Eye, and impartial Hand, distribute Favours and Rewards to all Men, as You find them for their real Goodness, both in ability and Fidelity worthy and capable of them. Such as fear God, as the truly wisest will advise You to the best Measure for promoting God's Glory; Men of Truth will, like *Tyrconnel*, serve You faithfully, without trimming, tho' with never so apparent Hazard to their Fortunes and Lives. And Men hating Covetousness, will not betray Your Interest, be corrupted, nor sell Places to such Undermanagers of Your Revenue, as buying them for a Spill in gross, will be sure to retail them at Your Cost, a Practice much in use here, and in *Ireland* at present, where few or no Places can be had without Bribes; by which means You are cheated in both Kingdoms of an Hundred thousand Pounds a Year, in the opinion of understanding, honest and indeliberate Judges; for no Man will give a Shilling surreptitiously for an Office, but with a design to cheat You of Twenty: To prevent which, there is no Remedy, but that of employing smart Men of known integrity, to be chosen without Favour or Affection, that will be content with their  
respective

respective Salleries, and imploy their utmost industry to improve, not imbezel Your Revenues the Ornaments of Peace and Sinews of War.

S I R,

These Kingdoms are of opinion, Popery will break in upon them, and it were a pity to disappoint them; and when You take effectual Measures, Your trimmig Courtiers will unmask and come over; nay, half the Kingdom will be converted of it self. What I have here presumed to write, is the effect of my unfeigned Zeal for the Good of Religion, and your Majesties Interest, which I hope will induce You to pardon a plain-dealing and loving Subject, that daily beseeches God to bless Your Majesty and these Kingdoms with a long and prosperous Reign, and with numerous long-lived Male-Issues; and to inspire You with wholesome Thoughts, that may direct You to the performance of such Heroick Actions as may gain You immortal Fame in this World, and eternal Glory in the next.

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*Lord Clarendon's Speech in Council, on his leaving the Government of Ireland.*

*My Lords,*

IT has been sometimes used to make Speeches upon these Occasions, but I know my insufficiency for that Task, and therefore shall trouble your Lordships with very few words. In the first place, my Lords, I give your Lordships many thanks for the Civilities I have received from every one of you, and for the great Assistance I have had from you in the discharge of my Duty here. I know your Lordships can witness for me, that I never desired your concurrence in any thing that was not for the King's Service. I do again beg your Lordships to accept of my Thanks, with this assurance, that

that I shall give the King an account ( when I have the honour to kiss his Hand ) of your Lordships great readiness and diligence to advance his Service.

My Lord Deputy, I shall not long detain your Lordship: The King hath placed your Excellency in a very great Station; has committed to your Care, the Government of a great and flourishing Kingdom, of a Dutifull, Loyal, and Obedient People: It is extreamly to be lamented, that there are such Feuds and Animosities among them, which I hope your Excellency's Prudence, with the assistance of so wise a Council, will disperse. I must needs say, both from my own Observation, and the Information I have had from my Lords the Judges, who often visit the whole Kingdom, that there is a great readiness and willingness in all People to serve and obey the King. I must here a little enlarge to your Excellency, because, I reckon my self bound to give the King an account of his Subjects, and I would not willingly say any thing when I am at such a distance, which I have not mentioned here. The *English* in this Country have been aspersed with the Character of being generally Fanaticks, which is a great Injury to them; I must do them the justice to say, that they are of the Church of *England*, as appear by their Actions as well as Professions. The Churches here are as much frequented, and the Discipline of the Church as well observed, as in *England* it self; which is to be attributed to the Piety and Labour of my Lords the Bishops. We of the Church of *England* can brag, that when Rebellion overspread the three Kingdoms, not one Orthodox Member of our Church was engaged against the Crown: And in our late Disorders, we can boast we were Opposers of the Bills of exclusion; and the sense his Majesty has been graciously pleased to express of our Loyalty, will never be forgotten by us. I had the happiness to be born a Member of the Church of *England*, and I hope God will give me the Grace to die one. One thing the *English* of  
his

this Country have to glory in, That of all his Majesty's Subjects, they made the earliest Advances towards his Majesty's Restoration, when the three Kingdoms were governed by Usurpers. And after all the Endeavours of his Loyal Subjects in *England* seemed to be disappointed, and there appeared no Hopes, by the total defeating of Sir G. Booth, the *English* then in this Kingdom offered to submit to his Majesty's Authority. I do not say this, my Lord, to detract from his Majesty's R. C. Loyal Subjects, many of whom I my self knew served and suffered with him abroad; but I speak it in justice to the others who did their Duty. There is but one thing more I shall trouble your Excellency with; I am sorry that I cannot say that I leave a full Treasure, but I can say that I leave no Debts. The Revenue is in good Order, which must be owned to be due to the unwearied Industry and Diligence of the Commissioners. The Army is intirely paid to *Christmas* day last; and I have advanced a Month's Subsistence-money for *January*. The Civil and Pensionary Lists are likewise cleared to *Christmas*: I doubt not but your Excellency's Care will carry all things on in the same Method. God Almighty blefs the King, and grant him long Life; and I beseech God to prosper this excellent Country. I received this Sword in Peace, and I thank God, by the King's Command, I deliver it in Peace, to your Excellency; and I heartily wish you Joy of the Honour the King has done you.

*A General Abstract of the Gross Produce of his Majesty's Revenue in Ireland, in the three first Years of the Management, beginning at Christmas 1682. ending Christmas 1685.*

	1683,	1684,	1685.	
Customs Inwards } and Impt. Excise }	85844 17 2	91424 8 8	91117 13 6	
Customs Outwards }	32092 11 4	33425 15 2	29428 8 11	
Seizures and Fines	965 2 3	615 1 5	460 11 5	
Prizage	1452	1693	1882	
Inland Excise	68344 1 3	77580 3 7	79169 4 4	
Ale Licences	8283 14 1	9538 4 4	9995 14 11	
Wine, &c. Licences	2736 12	3114 10 2	3467 11 3	
Quit Crown and Custodian Rents }	68699 9 7	68385 8 0	68922 4 5	
Hearth-Money	3104 1	31646	32953 12 00	
Casual Revenue	820 3 3	1745 16 2	1564 16 11	
<b>Totals, l.</b>	<b>300297 11 11</b>	<b>319168 7 9</b>	<b>318961 18 0</b>	

Arrears of each of the above Years remaining uncollected at Christmas 1685. } 7659 1 6 } 9799 9 1 } 34971 9 3

Net Cash paid into the Treasury in the three Years above-mention'd, over and besides the Charges of Management, and Salaries to the Officers of the Revenue in the said time. } 712972 17 2

Cash remaining in the Collectors Hands at Christmas, 1685, ready to be paid in } 55655 10 3

The Solvent Part of the above-mention'd Arrears which was actually levied and paid into the Treasury before Christmas, 1688 } 30000 00 00

Total Cash, l. 798618 07 5

Which at a Medium for three Years, amounts for each Year to the Sum of } 266209 00 00

Sheriff

*Sheriffs for the Year 1687.*

Febr. 16. 1686.

Counties.	Sheriffs.
Ardmagh	Marcus Clarke.
Antrim	Cormuck O-Neil.
Cavan	Lucas Reily.
Clare	John Mac Nemara of Cratlagh.
Cozke	Nicholas Brown of Bantrey.
Catherlogh	Sir Lawrence Esmond.
Dublin	Thomas Warren.
Downe	Valentine Russel.
Donnegell	Charles Hamilton.
Fermanagh	Cobonnagh Mac-Gwire.
Galway	John Kelley Esq;
Kildare	John Wogan.
King's County	Hewar Oxburgh.
Wilkenny	John Grace Esq;
Kerry	Donogh Mac-Gellicuddy.
Leitrim	Alexander Mac-Donnel.
Louth	Patrick Bellev.
Limerick	Edward Rice of Ballynisty.
Longford	James Nugent Esq;
Meath	Walter Nangle Esq;
Monaghan	Sir John Flammimg.
Mayo	Dominick Browne.
Queen's County	Edmond Morris Esq;
Roscomon	John Dillon Esq;
Sligo	Henry Craffon of Longford.
Tyrone	Terence Donelly.
Wexford	Patrick Colclough.
Westmeath	Thomas Nugent.
Wicklow	Francis Meara.
Waterford	John Nugent.
Londonderry	Elected by the Charter.
Tipperary	Appointed by the Duke of Ormond.

John Plunket *Lessee of*  
*Christ: Lord Baron of* } *Sir Edward Tyrrell's Af-*  
 Dunfany, Plaintiff. } *fidavit about packing of*  
 Philip Tuite and John } *Juries.*  
 Rawlins Defendants.

**W** Hereas there issued two several *Venire Facias's*, at the Plaintiff's Suit, returnable into his Majesty's Court of *Exchequer*, directed to *Edward Tyrrell Esq*, then High Sheriff of the County of *Meath*, the first Year of his now Majesty's Reign. Now *Sir Edward Tyrrell* Baronet came this day before me, and made Oath, That one Mr. *Plunket*, Brother to the said Lord of *Dunfany*, came to *Longwood* to this Deponent's House; and desired this Deponent to stand the Lord *Dunfany's* Friend, and to give him a Jury that would do him Right; and withal said, this Deponent should have (after the said Lord of *Dunfany* should be restored to the Possession of his Estate) the sum of three or four hundred Pounds. To which this Deponent answered, He would do him Justice. The said Mr. *Plunket* desired this Deponent to meet him at Mr. *Nugent* his Counsel's House, where he would further discourse the Matter. This Deponent did accordingly meet the said *Thomas Plunket*, where several Proposals and Overtures were made, all to no purpose. This Deponent further deposeth, That in some short time after, the said Lord of *Dunfany* came to this Deponent's said House, and after some Discourse, he the said *Dunfany* desired this Deponent to befriend him against those that wronged him, and kept him out of his Estate. Whereupon this Deponent told the said Lord of *Dunfany* what offer his Brother had made him. The said Lord of *Dunfany* replying, said, His Brothers were all on the catch, and that he would do his own Business, and not trouble them or any of them, or words to that purpose; and desired



fired this Deponent to return him a good Jury, and that he, the said *Dunsany*, would give this Deponent Twenty Guinnes in hand, and three or four hundred Pounds when he should be restored to the Possession of his Estate. To which this Deponent made answer, That he would impose nothing on his Lordship, and that he would do him Right. Then the said Lord *Dunsany* swore, that this Deponent should not repent what Kindness this Deponent would shew him in that Affair, and said, he would not fail paying the Twenty Guinnes upon the return of the said *Venire's*. This Deponent desired the said Lord of *Dunsany* to imploy his Brother *Thomas Plunket* in the prosecution of that Concern; which he promised he would do, and thereupon began to name such as he would have of the Jury: Which this Deponent desired he should forbear, telling him, if this Deponent should be examined to that, the *Array* would be quashed. The said *Dunsany* then said, he would put the *Venire's* into this Deponents Hands, and do what he thought fit, and said, this Deponent should hear from him within some short time, which he performed. And this Deponent deposeth, that he did receive the said two *Venire's*, either from the said Lord of *Dunsany's* Messenger, or from himself, or one of his Servants. But this Deponent having recollected his Memory, is more apt to believe that it was the said Lord of *Dunsany's* Messenger or Servant, whom this Deponent hath seen before in the said Lord's Company, that came according to his the said Lord *Dunsany's* Promise, that delivered the said *Venire's* to this Deponent; for he desired to know at his departure from this Deponent, where and when the said Mr. *Thomas Plunket* should meet this Deponent in order to return the said Writs, or words to that effect. That this Deponent appointed him to give the said *Thomas Plunket* notice to meet him at *Trim*, at one Mr. *Evey's* House, on such a day as this Deponent cannot tax his Memory now with. That this Deponent

having several Occasions to this City, waited on Mr. *Daley* this Deponent's Counsel, now Mr. Justice *Daley*, and advised with him about the Proposals, and said Overtures betwixt him this Deponent, and the said Lord *Dunsany*; and thereupon resolved to serve the said Lord *Dunsany gratis*, and not to take or accept of any manner of Consideration from the said Lord of *Dunsany*, and that he this Deponent would be very just to him; which Resolution was approved of by the said Mr. Justice *Daley*. This Deponent further deposeth, That according to appointment, being met with punctually, he had some Discourse with the said *Thomas Plunket*, who said, The said Lord of *Dunsany* his Brother was not prepared for a Tryal, and that he would go on soon with all his Estate at once; and that them two Parcels were inconsiderable in respect of the Bulk of his Estate; and desired this Deponent to reserve the best Men, in order to return them on the Juries, when he should put other *Venire's* for that purpose in this Deponent's hands, or words to that purpose. This Deponent desired him to consider what he had to do, and he should not blame him, this Deponent hereafter. He the said *Thomas Plunket* then replied, That he would be satisfied with what Returns this Deponent should make on the said two *Venire's*, and desired that the best Men might be reserved as aforesaid. Whereupon this Deponent soon after return'd the aforesaid *Venire's*, with Pannels to them severally annexed. This Deponent further deposeth, That he having notice from the Lord Bishop of *Clogher*, that he heard that the said Lord of *Dunsany* should reflect on this Deponent, saying, He would not return him a good Jury without a Consideration: And having met the said *Thomas Plunket* in the said Lord Bishop's Lodgings, in *Michaelmas* or *Hilary* Term last, he desired the said Lord Bishop to acquaint the said *Thomas Plunket* with the Expressions he heard of the said Lord of *Dunsany*. Which he having done, the said *Thomas Plunket* said, That  
this

this Deponent desired no Consideration, and that the Lord *Dunsany* afore said was much obliged to him this Deponent; and that he was mighty kind to him, and would justify the same: This Deponent further deposeth, That the said *Thomas Plunket* having met this Deponent at *Longwood*, after some Discourse he had with this Deponent, the seventeenth day of *March* last past, shewed him a List of the Juries, and asked this Deponent if he returned them? To which this Deponent answered, That he had (as he believed): He the said *Thomas Plunket* thereupon said, most of them were Phinaticks, and that they would hang the said Lord of *Dunsany* if they could. This Deponent made answer then, That if they proved inconvenient, that it was the said *Thomas Plunket's* fault, for that he had desired this Deponent to return what he this Deponent pleased, and to reserve the best Men for the Bulk of the said Lord *Dunsany's* Estate, or words to that effect. The said *Thomas Plunket* said, He would never consent to the return of such Juries; and passionately said, If he had the Twenty Guinies to give this Deponent, that he would have better Juries. This Deponent asked the said *Thomas Plunket*, if this Deponent desired any such Sum, or any Sum of him when he met at *Trim*? He then replied, that he did not, but that the said Lord *Dunsany* did promise it. After a while he likewise said, That he told the said Lord of *Dunsany*, that this Deponent could not be supposed to have made that Return for Ill-will or Gain, for that none would give any Sum of Money where the Party could Nonsuit himself; as also that this Deponent had returned good Juries for several of his Country, naming Mr. *Evers* and others, and that it was his ill Luck that hindred him, or words to that effect. This Deponent further deposeth, That neither of the Defendants, directly or indirectly, desired this Deponent for to return the said Juries. Neither did this Deponent give them notice that he had any *Venire's*; neither did he know that there were any *Venire's*

ordered to be granted by this Court, until he received the said *Venire's*, either from the said Lord, or Tenants, or Messengers, as aforesaid, and further saith not.

*Mr. Burridge's Affidavit about Robbers, Sept. 27. 1690.*

**T**hen came before me *Ezekiel Burridge* Clerk, and saith, That about the beginning of the late Earl of *Tyrconnel's* Government, he was set upon by three Men near *Glasneven*, within a Mile of *Dublin*, who gave this Deponent four Wounds with their Swords, and tore his Gown, so that he could never afterwards wear it: They likewise attempted to rob him, had they not been prevented by the coming in of Company. Two or three days after, he heard that a Fellow was seen on the same Ground who looked suspiciously; and being pursued, was taken in the Suburbs: Whereupon the said Deponent went to him in a Disguise to *Newgate*, and took him into a private Place, and made large Promises to him, if he would discover any of the Robberies, and be an Instrument of bringing in the Rogues who infested the Roads about the Town, and robbed almost every Night. To effect this, he spoke Irish, and wore the Garb of a considerable Irish Officer, and called himself *Mac-Cary*. The first time he could do but little good with him, but he bid him come to him the next day; and after he had seen a Friend, he would do something. Accordingly he went to him the next Morning, and renewing and enlarging his Promises to him; after some time he told him, if he would make my Lord Chief Justice *Nugent* his Friend, and perswade him to remit his Punishment, which was, to be burnt in the Hand, and stand his Friend in other things, he would do more Service than any Man in *Ireland* was able to do. He thereupon ventured upon large Promises to him, and used all the

Rhetor.

Rhetorick he could to bring him to an ingenuous and full Confession. Whereupon he told the Deponent, that he knew all the Robberies that were committed the three Years last past in the Counties of *Dublin*; *Meath*, *Kildare*, *Longford* and *Louth*: That he would engage to clear all those Counties of Rogues; that he knew all those that robbed in the Roads about *Dublin*; that there were four several Companies of them; that the great Company were at that time robbing about *Kilkenny*, and that they would be at *Dublin* within a Week, for they were withdrawn thither only to be out of the way here in the Term time; that there were Twenty six of them in all, besides Souldiers, (whom, he said, he durst not discover); but all the rest, he said, he would engage to take in Ale-houses, where he would appoint them to meet them, if my Lord Chief Justice would allow him Men to assist him: This he told the Deponent he would do, and shewed him what Method he would use; and he said, he would willingly be hang'd if he did not succeed: Besides, he knew (he said) where Rogues might be found in *Dublin*, who were proclaimed, and had Money offered for their Heads. He knew likewise where two Men were who murdered a Brogue-maker at *Kilcock* a little before, but was loth to hang one of them, he said, because he thought he then lived honestly in his own House. He knew likewise, he said, a House that was to be robbed at *Stephens-green*, by some Acquaintance of his, within a Week; and told the Deponent what Method they designed to use in robbing it. He knew likewise who robb'd a House at *Killmainham* that very Week whilst he was in Prison. He knew where a Silver-hilted Sword was, which was taken from a Gentleman a little before; and could go directly to abundance of Goods taken by Robbery. He knew where several pieces of the Gold which was taken from Mr. *Starling* the Minister in the County of *Longford*, then lay; and said, that he himself had changed one of the Pieces since  
his

his Committal : All this he said he would prove, and would give his Head if he miscarried in any Particular. And when the Deponent told him, that perhaps he only pretended those things, that he might have an opportunity to escape ; he thereupon said, that they might, to prevent that, set Guards over him ; and besides, he would procure my Lord *Gormanstowne*, and several Gentlemen, to be bound for him. The Deponent having received this Encouragement from the Prisoner, (whose Name was *Patrick Lannan* ) he went to my Lord Chief Justice *Nugent* ; told him what he had suffered himself, and what the Country suffered dayly ; and gave him an account of his conferring with the Prisoner, and shewed him in writing the above-named Particulars, which he wrote from his Mouth in Prison ; which my Lord presently was pleased to call, Extraordinary great Service, and said, that the Government ought take to notice of it. My Lord was likewise pleased to promise the Deponent he would pardon the Fellow, and make the best use he could of him to bring in the Rogues. Afterwards my Lord sent for him, and had him private two hours ; and when the Deponent afterwards waited upon him, my Lord told him, he had found out an extraordinary useful Man, and that he was well satisfied all he said was true, and he believed he could do more service than the Account he gave the Deponent ; and withal, my Lord shewed the Deponent a List of the Rogues he had from *Lannan* the Prisoner : But either my Lord did not read the List fairly to the Deponent, or *Lannan* made some omission ; for the Deponent remembers there was one *Nangle*, or one or two *Nugents* in his List, which my Lord omitted in reading. After the Deponent had managed the Fellow thus far, he asked him concerning particular Robberies, and he gave him a very satisfactory Answer to all. He asked whether he heard of a Gownman that was assaulted between *Dublin* and *Glassneven* ? He thereupon turned his Head aside and blush'd, and said,

that

that he knew of it, but could not be perswaded to discover the Men: What he said upon this Head, made the Deponent suspect that my Lord Chief Justice had discovered him to the Prisoner, for he found not that freeness of discourse with him, after he had been with my Lord, that he had before: Neither after all his Pains, could he do any good with my Lord; but he deposes, that after he was importunate with him, three or four times, to bring in the Rogues, yet nothing was done, and the Prisoner was afterwards sent away to Trim Gaol, which this Deponent verily believes was to avoid his importunity. He believes, my Lord thought those Rogues might be afterwards serviceable, and therefore had no mind to bring them to Justice.

*Jurat. coram me 27 Septembris, 1690.*

*Dub. Loftus.*

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*Account of Mr. Thomas Corker's House, Burnt by the Irish the fifth of May, 1689.*

**A**S One of the Thousand Instances that may be given of the Natural Antipathy the *Irish* have to the *English*, and Protestants in general, (let the Obligations of Neighbourhood, Conversation, and other endearments be never so great) Mr. Thomas Corker's Usage by them is remarkable. He lived at *Donoghmore*, within a Mile of *Navan* in the County of *Meath*; and observing about *All Saints* 1688, that the *English* and Protestants began to remove and fly; he freely ask'd the *Irish* Gentlemen in his Neighbourhood, What advice they would give him as to his Remove, having a great Family: Who Answered, *O dear, Sir, do not stir; for if the World were on Fire, you have no reason to fear: For you have been so obliging to us your Neighbours, and to all*



*all sorts, that none will harm you, but rather protect you.* Yet immediately they fell upon his Stock without doors, and took part of it away. He then removed with his Family to *Dublin*, leaving his *Haggard* and most of his Household-Goods behind him; and sometimes (or about once a Month) went down to Thresh part of his Corn for his own use: During which time they took away all his Stock of Sheep, Black Cattel, and Horses; and the Soldiers from *Navan* (Commanded by one Captain *Farrel*) fetch'd away all his Corn and Hay: Some of his *Irish* Servants telling him, It was not safe for him to come down, or lye in his own House, He lay in a Neighbours House: This was on a Friday-Night; and the next Day he went to *Dublin*. One Sunday-Night (the fifth of *May* 1689.) they came and set Fire to his House in several places, and burnt it down and all his Goods, believing he was in the House. Afterwards giving out, That he had ordered his own Servants to burn it. And soon after came up one *William Carton* his Shepherd, who told him, That the Friar and Priests at *Navan* were very angry with him, and Threatned him, because he did not countenance that Report, and also own that his Servants had burnt his House by his Order.

All this was done by the Neighbourhood, within three or four Mile about him.

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*A Brief of the Case of the Charter of Londonderry upon which Judgment was given against it.*

Quo Warranto against the Corporation of Londonderry; to shew, why they Claimed to be a Body Politick, and to have and use certain other Privileges.

THE Corporation pleaded their CHARTER, whereby those Priviledges were granted to them, & so Warranto they claim to have and use those Privileges.

The

*Wm. Mordaunt*

The King's Attorney Replies, and saith, That since their Charter, the Act of Settlement impowers the Lord Lieutenant and Council, to make Rules and Orders for the Regulating Corporations: That accordingly such Rules were made for this Corporation; among which, One was, That they were to Elect at a time different from that in the Charter, and Return the Names of the Persons the Corporation should elect yearly to be Mayor and Sheriffs, to the Lord Lieutenant; and to be approved of, & *unde ex quo*, that they did not so elect, and send the Names of such elected, to be so Approved, they forfeited their Privileges.

The Corporation in their Re-joynder gave a full Answer to this New Matter, raised in Replication on these New Rules; and set forth, That they did all along yearly elect, and send up the Names elected according to the Rules, and that they were Approved, &c.

But further insisted at the Bar, That they needed not to have any further Rejoynder to the said Replication, or made any Answer as to the Matter in the said Replication alledged; because, admitting the Allegations in the said Replication to be true, yet the Replication assigns no breach by the Corporation: For all that comes after the *Unde ex quo*, is but a Conclusion, and solely a Conclusion without any Premisses; for tho' the New Rules be set forth, yet 'tis not said in all the Replication, That the Corporation did not act pursuant thereto; but only saith, *Unde ex quo*, they did not, &c.

1. The Court said, The Answer given to the New Rules, was a Departure from the Matter pleaded, *viz.* They Justifie in the Plea by the Charter; and in their Rejoynder they say, They chuse according to the New Rules, which is another Warrant to chuse, and so the Plea vitious. To which the Corporation Replyed, That a Departure is, when a Party in a Rejoynder sets up New Title to a thing, or a New Justification not set up in the Plea: But here they still Justifie by their Charter, and the New Rules made subsequent, is only to the

*Modus*

*Modus* of Chusing, in respect of Time, &c. but the Power of Chusing is still by the Charter.

2. The Plea was only a Plain Answer to a short Question demanded by the *Quo-Warranto*, viz. by what Warrant they claimed their Privileges; and the Matter of the New Rules was set up by the King in his Replication, to which they had no opportunity of Answering, till they Rejoyn'd.

3. If it had been material to be set forth in the Plea; yet it being a Condition subsequent (if any thing) and going in destruction of the Corporation Privileges, they ought not first by the Rules of Law to set it forth; but it ought first to come on the Adversaries part.

4. The Corporation urged, That the New Rules did not in Law work any Forfeiture of Privileges, in case they were not observed; for they were in the Affirmative only, and the Rule of Law is, That Acts in the Affirmative take not away a former Power of doing a thing, but the same may be done either the first way, or the second. Notwithstanding all which, on the said pretended defect in Pleading, the Merits of the Cause never coming in question, the Court gave Judgment against the Corporation.

(N 8.) *Lord Lieutenants, and Deputy Lieutenants of Counties.*

## L E I N S T E R.

Counties. Lord Lieutenants. Deputy Lieutenants.

County Dublin, Col. Simon Luttrell. { Thomas Warren  
Barthol. Russell  
City Dublin { Lord Mayor. { Sir Thomas Hacket.  
Terence Dermot.

Meath

## LEINSTER.

Counties.	Lord Lieutenants.	Deputy Lieutenants.
Meath,	{ Lord Gormanstown. <i>Gormanstown</i>	{ Thomas Bellew.
Trim		{ Walter Nangle.
Westmeath	{ Earl of Westmeath. <i>Westmeath</i>	{ Edmund Nugent of Carlinston.
Mullingar		{ James Nugent of Wexhtown.
Longford	{ Col. William Nugent. <i>Nugent</i>	{ Fergus Farrel.
Longford,		{ Lawrence Nugent.
Cartherlogh,	{ Dudley Bagnal. <i>Bagnal</i>	{ Marcus Baggott.
Carlow,		{ William Cooke.
Kilkenny,	{ Lord Galmoy. <i>Galmoy</i>	{ John Grace.
Kilkenny,		{ Caesar Colclough.
Wexford,	{ Col. Walter Butler. <i>Butler</i>	{ Patrick Colclough.
Wexford,		{ Walter Talbot.
Wicklow,	{ John Talbot of Belgard. <i>Talbot</i>	{ Edward Masterfon.
Wicklow,		{ Hugh Roe Byrne.
King's County,	{ Col. Garret Moore.	{ Thady Byrne.
Birr,		{ Terence Coghlan.
Queens County,	{ Lord Glanmalyn.	{ Owen Carroll.
Maryborough		{ Edward Morris.
		{ Thady Fitz-Patrick.

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## LEINSTER.

Counties.	Lord Lieutenants.	Deputy Lieutenants
Lowth	{ Lord of Lowth.	{ Roger Bellew.
Drogheda,		{ John Babe.
Kildare,	{ Earl of Lymrick.	{ Capt. Charles Whyla.
Naas,		{ Francis Leigh. (town. Wm Fitzgerald of Cooks.

## MUNSTER.

Corke,	{ Lord Mountcashel.	{ Pierce Nagle.
Corke,		{ Daniel MacCarty Reagh. Sullivan Bere.
Waterford,	{ Earl of Tyrone.	{ Charles MacCarty, ali- as Mac Donnough.
Waterford,		{ John Nugent.
Clare,	{ Lord Clare.	{ Thomas Sherlock.
Ennis,		{ Donogh o Brien of Duogh. Florence Mac Nemara.
Kerry,	{ Lord Kenmare.	{ Donogh MacGilliscuddy.
Tralee,		{ Joseph Browne.
Limerick,	{ Lord Brittas.	{ Morice Fitz-Gerald.
Limerick,		{ Dom. Roche. Tipperary

*Thomson*  
MUNSTER.

Counties. Lord Lieutenants. Deputy Lieutenants.

Tipperary,	{	Walter Butler, Esq;	{	James Butler of Kilsf-
Clonmel,				Garret Gough. (Cavan.
				John Clantwal.
				Daniel Mac Carty.

## CONNAUGHT.

Galway,	{	<i>Connaught</i> Earl of Clanrickard.	{	John Donnellan.
Galway.				Miles Bourke.
				Nicholas French.

Roscomon,	{	Lord Dillon.	{	Patrick Plunkett.
Roscomon,				John Fallon.

Mayo,	{	Lord Athenry.	{	John Brown.
Ballinrobe,				John Hore.

Sligo,	{	Col. Henry Dillon.	{	Edward Crofton.
Sligo,				James French.

Leitrim,	{	Col. Alexander Mac Donnel.	{	Henry MacTool o Neile.
				Hugh o Rourke.

## ULSTER.

Cavan,	{	Col. Edmond Reyley.	{	Philip Oge o Reyley.
Cavan,				Miles Reyley, Junior.

Y

ULSTER.





*A List of the Principal Officers employed in the Revenue 24 Jun. 1690.*

*Dublin Port; Chief Commissioners and Officers established by Patent.*

	<b>S</b> IR Patrick Trant, Knight.	} Esquires.	} Commis- sioners of the Revenue.
	Francis Plowden,		
	John Tinder,		
Prot.	Richard Collins,		
Prot.	Sir William Ellis, Knight.		
	Charles Playdel, Secretary.		
	Nicholas Fitz-Gerald, Solicitor.		
Prot.	James Bonnel, Accomptant General.		

*Collectors and Officers appointed by the Commissioners, VIZ.*

	Doctor James Fitz-Gerald, Collector.
Prot.	Nathaniel Evans, Clerk to the Commissioners.
Prot.	William Alcock, } Examiner of the Port-Accounts and Warrants, and Casheer.
Prot.	Sinolphus Bellasis, Clerk of the Coast.
Prot.	John Kent, Land-Surveyor, and Comptroller of the Store.
Prot.	Edward Prescott, Land-Surveyor.
Prot.	John Robinson.
Prot.	Dennis Boyle.
Prot.	Francis Isaackson.
	Henry Fitz Gerald.
Prot.	Bartholomew Wybrantz, Store-Keeper.
	Robert Longfield, } Chief Clerk of the Quit and Crown-Rents.
	William Briscoe.
	Phelim Dempsey.
	Francis Creagh, Surveyor at Dunlary.

## Dublin Excise; Viz.

Prot. Francis Babe, Collector.  
 Prot. Bernard Waight, Surveyor General of Excise.  
 Prot. Carol, Examiner of Excise Accounts.  
 Prot. Benjamin Powning, Examiner of Diaries.  
 Prot. Henry Davis,  
 Prot. Jacob Walton, } Surveyors of Excise.  
 Prot. Philip Clayton, }

## Ports and Districts.

Athlone, { Christopher Nicholson, — Collector.  
                   { Peter Duffe, — Surveyor.  
 Baltimore, Dominick Nagle, — Collector.  
 Clonmel, { Terence Magrath, — Collector.  
                   { Edward Morris, — Surveyor.  
 Cork Port, { Sir James Cotter, — Collector.  
                   { Edward Trant, — Surveyor.  
                   { Florence Mac Carry, — Surveyor at Cove.  
 Cork Excise, { Francis Garvan, — Collector.  
                   { James Griffith, — Surveyor.  
 Dingle, Ambrose Moore, — Collector.  
 Drogheda, { Bernard Byrne, — Collector. (cise.  
                   { Walter Babe, — Surveyor of Ex-  
                   { Morris Moriarty, Surveyor at Newkey  
 Dungravan, Thomas Mead, — Collector.  
 Ennis, { John Mac Nemra, — Collector.  
                   { James Dalton, — Surveyor.

Foxford,

# APPENDIX.

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Foxford, { Valentine Kirwan, — Collector.  
 { Nicholas Toppin, [Prot.] Surveyor.

Galway Port. Arthur Nagle, — Collector.

Galway Excise, James Brown Fitz Jeffery, Collector.

Kilkenny, { Caesar Colclough, — Collector.  
 { Samuel Pigeon, [Prot.] Surveyor.

Kinsale, { Dominick Rice, — Collector.  
 { Dominick Murrough, — Surveyor.

Limerick, { John Rice, — Collector.  
 { Nicholas Skiddy, — Surveyor.

Loughrea, Stephen Dean, — — Collector.

Maryburrow, { Garret Trant, — Collector.  
 { William Bourne, — Surveyor.

Moyallaw, { John Longfield, — Collector.  
 { Richard Aylward, — Surveyor.

Naas, { Edmond Fitzgerald, — Collector.  
 { Robert Dowdal, — Surveyor.

Rosse, { James Butler, — Collector. (cise.  
 { Mark Whitty, — Surveyor of Ex-

Sligoe, — Owen Dermot, — Collector.

Trim, { Richard Barnwal, — Collector.  
 { Hugh Mac Donough, } Surveyors.  
 { Richard Barton, }

Waterford, { Councillor Butler, — Collector.  
 { James Heas, — Surveyor.

Wexford, ——— Anthony Talbot, ——— Collector.

Wicklow, ——— Barnaby Hackett, ——— Collector.

Toughal, { Patrick Fitzgerald, ——— Collector.  
David Fitzgerald, ——— Surveyor.

*A List of the Names of the New Burgesses of Strabane and Londonderry; Viz.*

## S T R A B A N E

Commonly call'd,

Sovereign. John & Neile, Shane Mac Con Backagh & Neile.

Gordon & Neile, { Son of Sir Phelim & Neile the Great  
Rebel, who was Hang'd, Drawn  
and Quarter'd. He burnt Strabane in 1641.

John & Neile, ——— Shane Mac Neile, Rammar & Neile,  
William Roe Hamilton.

Constantine & Neile.

James Cunningham.

Robert Adams.

Cloud Hamilton.

Brian & Neil, Mac Brian, Mac Cormuck, Macy Rory  
Grana & Neile.

John Browne.

Robert Gamble.

Patrick Bellew.

James Mac Gee.

Art & Neile, ——— Art Mac & Neile, Ramar & Neile.

John Donnelly, ——— Shane Fadda & Donnelly.

Jame Mac Enally.

John Mac Rory { Shane groom Mac Philip Mac Rory  
Burnt in the Hand.

Burgesses,

Terence

Burgesses.

Terence Donnelly, — Turlogh ô Donnelly.  
 Henry ô Neile, { Henry Mac Phelmy Duff, Mac Art  
                                   Mac Rory ô Neile. His Fa. hang'd.  
 Roger Mac Cony, { Rory Mac Brian, Mac Con modura  
                                   Mac Conway: His Father hang'd.  
 Dominick Mac Hugh, Dominick Mac Rory, Ballagh Mac  
                                   Hugh.  
 Charles ô Cahan — Cormuck Mac Manns Keiogh ô  
                                   Cahan.  
 Charles ô Conway, { Cormuck Mac Owen, oge Mac Owen,  
                                   Modera Mac Conway.

## LONDON DERRY.

Cormuck ô Neile, Mayor.

Horace Kennedy,  
                                   and  
 Edward Brooks, } Sheriffs.

Constance ô Dogherty.

Daniel ô Sheile,  
 Roger ô Dogherty,  
 Brian ô Neile and  
 John Buchanan.

Alderm.

Daniel ô Sheile, Chamberlain

Cobanagh Mac Gwire,  
 Gordon ô Neile,  
 Constantine ô Neile,  
 Constance ô Neile,  
 Manus ô Donnel,  
 Peter Manby,  
 Petter Dobbin,  
 Antho. Dobbin,  
 John Campsie,  
 Daniel ô Dogherty,  
 William Hamilton,  
 Roger ô Cahan.  
 Daniel ô Donnel,  
 Nicho. Burside,  
 Alexander Lacky.

Aldermen.

Francis ô Cahan,  
 Robert Butler,  
 Cornelius Callaghan,  
 Thomas Moncriefe,  
 Hugh ô Hogan,  
 John Mackenny,  
 John Campsie,  
 Henry Campsie,  
 James Lenox,  
 John ô Hogan,  
 William Stanly,  
 James Connor,  
 Hugh Eady,  
 John Donnoogh,

Burgesses.

Y 4

Alexander

Alexander Gourdon,  
 John Crookshanks,  
 Phel. Mac Shaghtlin,  
 John o' Linshane,  
 Art. o' Hogan,  
 Charles o' Sheile,  
 Johnlins o' Mullan,  
 John Sberidan,  
 James Sheridan,  
 Constance o' Rorke,  
 Dom. Boy Mac Loghlin,  
 John Nugent,  
 William o' Boy,  
 John o' Boy,

Bergelles,

William o' Sullivan,  
 Dionysius Mac Loghlin,  
 Manus o' Caban,  
 Hugh Mac Loghlin,  
 Hugh More o' Dogherry,  
 Ulick o' Hogarty,  
 Henry Ash,  
 Thomas Broome,  
 Pet. Mac Peake,  
 Hen. Dogherry,  
 Robert Shenan,  
 Cornelius Magreth,  
 Art. o' Hogan.

Bergelles,

(N. 9.) Privy Counsellors appointed by Letters from King James, dated the 28th of February 1684; and such as are Sworn since by particular Letters.

**L**ord Primate.  
 Lord Chancellor.  
 Lord Archbishop of Dublin.  
 Lord High Treasurer.  
 Secretary of State.  
 Chancellor of the Exchequer.  
 Master of the Ordinance.  
 Lord Chief Justice of the King's Bench.  
 Lord Chief Justice of the Common Pleas.  
 Lord Chief Baron of the Exchequer.

for the Time being.

Lieut. General of the Army,  
 And Colonel of the Regiment of Guards for the time being.  
 James Duke of Ormond, not sworn.  
 Henry Earl of Thomond.  
 Cary Earl of Roscommon.  
 . . . Earl of Arglais.  
 Henry Earl of Drogheda.  
 Hugh Earl of Mount Alexander.  
 Richard Earl of Ranelagh, not sworn.  
 Francis Earl of Longford.  
 Maurice Viscount Fitzharding.

*Murrogh Viscount Blesinton.*  
*Robert Fitzgerald Esq; not*  
*sworn.*  
*Sir Charles Fielding, not*  
*sworn.*  
*Sir Rich. Reynel, not sworn.*

*Sir Thomas Newcomen.*  
*Sir Robert Hamilton.*  
*Adam Loftus,*  
*and*  
*Lemuel Kingdon, Esquires;*  
*not sworn.*

*Sworn afterwards by particular Letters.*

**S**IR *Paul Rycant.*  
*Thomas Keitley Esq;*  
*Earl of Tyrconnel.*  
*Earl of Limerick,*  
*Lord Viscount Ikerin.*  
*Lord Viscount Galmoy.*  
*Thomas Nugent,*  
*Dennis Daly,*  
*Stephen Rice,*  
*Rich. Hamilton,*  
*Sir William Wentworth.*  
*Earl of Ballymore.*  
*Nicholas Purcel, Esq;*  
*Earl of Clanrickard.*  
*Earl of Antrim.*  
*Justin Mac Carty, Esq;*

} Esquires.

*Lord Viscount Gormanstown.*  
*Lord Viscount Rosse.*  
*Earl of Tyrone.*  
*Lord Viscount Netterville.*  
*Lord Lowth.*  
*Sir William Talbot.*  
*Anthony Hamilton, Esq;*  
*Thomas Sheridan, Esq;*  
*Symon Luttrell, Esq;*  
*Fitzgerald Villers, Esq;*  
*Colonel Garret Moore.*  
*Lord Bellew.*  
*Charles White, Esq;*  
*Col. Cormuck O Neil.*  
*Francis Plowden, Esq;*

*Privy Counsellors Sworn before King James, after his coming to Ireland.*

**D**uke of Powis.  
 Duke of Berwick.  
 Earl of Abercorne.  
 Lord Thomas Howard.  
 Earl of Melfort.  
 Lord Chief Justice Herbert.  
 Lord Dover.  
 Colonel William P . . . .  
 Colonel Dorington.

Marquis D' Albeville.  
 Lord Kilmallock.  
 Colonel Sarsfield.  
 Lord Merryon.  
 Earl of Carlingford.  
 Earl of Clanrickard.  
 Lord Kenmare.  
 Lord Clare.

(N. 10.) The



(N. 10.) *The Civil List of Officers, and the Times of their Entering on their Offices.*

## CHANCERY.

**S**IR *Alexander Fitton* Knight, Created Lord *Fitton* and Baron of *Gosworth* in the County of *Lymerrick*, Lord High Chancellor of Ireland.

23 April, 1689. Sir *William Talbot* Baronet, made Master of the Rolls.

*Dennis Fitzgerald*, his Deputy.

Dr. *Alexius Stafford*, Popish Dean of *Christ-Church*.

2d May. *Ignatius Berford* Esq; Dr. of the Laws. } Masters.

6th May. Dr. *Matthew Kennedy*.

10th May. Dr. *Michael Plunket*, a Romish Priest. }

23th July. *Thomas Arthur* Soldier, Clerk of the Crown and Hanaper: This is in Trust for *Robert Arthur's* Wife, Neice to Lord *Tyrconnel*.

1st August. *William Dorrington*, Register.

*James Nagle*, Cursitor and Ingrosser of all Original Writs.

*Henry Temple* Esq; and *Owen Coyle* (who was Indicted and outlawed of Forgery) Examinators.

*John Newel*, *John Maynard*, . . . }  
*Power*, *Thady Meagher*, *John* } Six Clerks.  
*Henry*, and . . . *Geoghagan*, }  
*Baskerville Polemwheel*, Pursuivant.

## KING'S-BENCH.

*Thomas Lord Nugent*, Baron of *Riverstown*, Lord Chief Justice.

Second Justice Vacant, not being worth Fees of passing Patent.

Sir

- 6th July, 1689. Sir Brian O Neile, Baronet, Third Justice.  
 Randal Mac Donnel Esq; Clerk of the Crown  
 and Prothonotary.  
 Francis Nugent, Deputy Prothonotary.  
 Brian Kerny, Deputy Clerk of the Crown.

COMMON PLEAS.

- John Keating Esq; Lord Chief Justice.  
 Second Justice, Dennis Daly Esq;  
 Third Justice, Peter Martin Esq;  
 23 January 1689. Edmund Fitzgerald Esq; Chief and only Pro-  
 thonotary.  
 16th June, 1689. Richard Fenner, his Deputy.  
 Robert Barnwel Esq; Custos Brevium and  
 Chirographer.  
 James Nagle, Clerk of the Outlawries.

EXCHEQUER.

- Bruno Talbot Esq; Chancellor.  
 Treasurer Vacant.  
 Sir Stephen Rice, Lord Chief Baron.  
 Sir John Barnwel Knight, Second Baron.  
 Sir Henry Lynch Baronet, Puny Baron.  
 1st August, 1689. Oliver Grace Esq; Chief Remembrancer.  
 Second Remembrancer not disposed of: For-  
 merly an Office of great Perquisites, but  
 now not worth Fees of passing Patent.  
 8th August. Walter Lord Dungan, Clerk of the Common  
 Pleas.  
 Murtagh Griffin, his Deputy.  
 Philip Dwyer, his Sub-Deputy.  
 6th July. Richard Talbot of Malahide Esq; Auditor Ge-  
 neral.  
 23th July, 1689. Chr. Malowne, Sergeant Dillon's Clerk, Surveyor  
 General. This in Trust for Lady Tyrconnel  
 and her Daughter, married to Col. Dillon.

James

30<sup>th</sup> 1689. *James Nagle*, Clerk of the Exchequer and Summoner.

24 October. *Richard Morgan*, Pursuivant.

28 Nov. 89. *Francis Stafford* Esq; Clerk of the Pipe.

20 Dec. 89. *Charles White* Esq; Clerk of the First-Fruits and 20<sup>th</sup> Parts.

*Marcus Bagget*, First Serjeant at Arms.

7 Jan. 1689 *Thomas Haughton*, Second Serjeant at Arms.

16 Jan. 89. *Brian Mac Dermot* Esq; Clerk of the Pells and Tallies, and Clerk of the Treasury.

13 Febr. 89. *Patrick Kennedy* Gent. Comptroller of the Pipe.

18 Febr. 89. *Thady Meagher*, Clerk of the Errors. This is on the new Statute for Writs of Error, from the King's-Bench to the Exchequer-Chamber.

27 February *John Barry* Gent. chief Chamberlain.

*Simon Carrick*, Second Chamberlain.

6 March. *Oliver Grace* Esq; Transcripitor and Foreign Opposer.

### *Lords Commissioners of the Treasury,*

9 July 89. *Duke Tyrconnel*, *Henry Lord Dover*, *Lord Riverston* Chief Justice, *Sir Stephen Rice* Lord chief Baron, *Burno Talbot* Chancellor of the Exchequer, and *Mr. Adam Colclough* Secretary.

27 August. *Hugh Reilly* Esq; Clerk of the Privy-Council.

### *Commissioners of the Mint in Dublin.*

26 Aug. 89. *John Trindor*, *William Talbot*, *Thomas Goddards* Esq; *William Bromfield*, *Francis Rice*, *Edward Fox*, and *Walter Plunket*, Gent.

31 Jan. 89. Grant to Alderman *James Malone*, and *Richard Malone*, of the Office of Printer General.

Com-

## Commissioners of the Revenue.

Sir Patrick Trant, Sir William Ellis, John Trinder, Richard Collins, Fr. Plowden Esq; Sir Theobald Butler, Charles Playdel, Secretary.

Sir Henry Bond, and Lewis Doe Esq; Receivers General.  
Nicholas Fitzgerald, Solicitor.

Robert Longford, Clerk of the Quit-Rents and Forfeited Estates, &c.

(N. II.) 2d June 1690.

An Account of the General and Field Officers of King James's Army, out of the Muster Rolls.

**D** UKE of Tyrconnel, Captain-General.  
Duke of Berwick, }  
Richard Hamilton, } Lieutenants-General.

Count Lozune, General of the French.

Monsieur Leary, alias Geraldine, Lieutenant General.

Dom. Sheldon, Lieut. General of the Horse.

Patrick Sarsfield, }  
Monsieur Boislean, } Major-Generals.  
Antho. Hamilton, }

Wahup, }  
Thomas Maxwell, } Brigadeers.  
John Hamilton, }  
William Dorrington. }

Solomon Slater, Muster-master-General.

Robert Fitzgerald, Comptroller of the Musters.

Sir Richard Nagle, Secretary at War.

Sir Henry Bond, }  
Louis Doe, } Receivers General.

Sir Michael Creagh, Pay-master-General.

Felix O Neile, Advocate General.

Dr. Archbold, Physician to the State.

Patrick Archbold, Chirurgion-General.

HORSE.

## HORSE DRAGOONS

<b>D</b> uke of Tyrconnel, Colonel.	<b>L</b> ord Dimgan, Col.
Dom. Sheldon, Lieut. Colonel	Lieu. Col.
Fra. Meara, Major	Major
Lord Galmoy, Col.	Sir Neile O Neile, Col.
Laur. Dempsey 1st } Lieut. C.	Lieu. Col.
Char. Carroll 2d }	Major
Robert Arthur, Major	Lord Clare, Col.
Patrick Sarsfield, Colonel	J. Mac Nemara 1st } LCol.
Lord Kinsal, Lieut. Col.	James Phillips 2d }
Roger Magilligan, Major	Francis Browne, Major
Hugh Suiberland, Col.	Symon Lutterel, Col.
Edm. Pendergast 1st } L.Col.	Lieu. Col.
Talbot Lassels 2d }	Edmund Moclare, Major
William Cox, Major	Robert Clifford, Col.
Lord Abercorne, Col.	Alex. Mackenzie, Lieut. Col.
Lieu. Col.	Major
Major	Fran. Carroll, Col.
Henry Luttrell, Col.	Terens Casoll 1st } L.Col.
Sir James Moclare, L.Col.	Fran. Boismoroll 2d }
Major	Major
John Parker, Col.	Tho Maxwell, Col.
Tho. Gifford, Lieut. Col.	Daniel Magennis, Lieut. Col.
John Meatham, Major	Callaghan, Major
Nicholas Purfel, Col.	
Lient. Col.	
Major	

FOOT.

## FOOT.

Lord Gormanstowne Col.  
 Richard Eustace Lieu.Col.  
 . . . Major

William Dorington Col-  
 onel of the Guards.  
 Will. Mansel Barker L. Col.  
 Tho. Arthur Major

Henry Dillon Col.  
 Walter Bourke Lieu. Col.  
 John Morgan Major

John Hamilton Col.  
 James Nugent Lieu.Col.  
 John Talbot 1st }  
 James Gibbons 2d } Majors

Lord Galway Col.  
 John Power Lieu. Col.  
 . . . Major

Lord Fitz-James Col.  
 Edw. Nugent 1st }  
 . . Porter 2d } L.Col.  
 . . Dodsby Major

Lord Bellew Col.  
 Nich. Fitz-Gerald 1st }  
 Lie Sir Doge 2d } L.C.  
 John Dowdale Major

Earl of Clancarty Col.  
 John Skelton Lieu. Col.  
 Philip Rycant Major

Lord Kinmare Col.  
 . . . Lieu. Col.  
 . . . Major

Earl of Clarrickard Col.  
 Edmund Madden Lieu. Col.  
 . . . Major

Lord Slane Col.  
 Maurice Connel Lieu.Col.  
 . . . Major

Earl of Antrim Col.  
 Mark Talbot Lieu.Col.  
 James Woogan Major

Cormuck O Neile Col.  
 . . . Lieu. Col.  
 . . . Major

Earl of Tyrone Col.  
 Tho. Nugent Lieu.Col.  
 Richard Nagle Major

Charles Cavenagh Col.  
 James Lacy Lieu.Col.  
 Gros. Pordevarande Major

Richard Nugent Col.  
 . . . Lieu. Col.  
 . . . Major

Tho. Butler Col.  
 D<sup>r</sup> Busby Lieu. Col.  
 . . . Major

Lord

Lord Kilmallock	Col.	Edward Butler	Col.
John Power	Lieu. Col.	John Innis	Lieu. Col.
John Chapel	Major	Garret Geoghegan	Major
Sir Maur. Eustace	Col.	Art. Mac Mahon	Col.
John Weogan	Lieu. Col.	Philip Reyley	Lieu. Col.
. . . . .	Major	Hugh Magennis	Major
Sir John Fitz-Gerald	Col.	Charles Moore	Col.
. . . . .	Lieu. Col.	Vlick Bourk	Lieu. Col.
. . . . .	Major	. . . . .	Major
Lord Lowth	Col.	Dudley Bagnal	Col.
. . . . .	Lieu. Col.	James Power	Lieu. Col.
. . . . .	Major	. . . Corbet	Major
Earl of Westmeath	Col.	Gordon O Neile	Col.
Mich. Delahoyde	Lieu. Col.	Conn O Neile	Lieu. Col.
Gowen Talbot	Major	Henry O Neile	Major
Major-General Boisjeau	Col.	Nicholas Browne	Col.
Monsieur Beaupre	L. Col.	George Traps	Lieu. Col.
. . . Hurly	Major	Dermot Mac Auliffe	Major
Lord Bofine	Col.	Sir Michael Creagh	Col.
Will. Connock	Lieu. Col.	John Power	Lieu. Col.
John Bodkin	Major	Theobald Bourk	Major
Oliver O Gara	Col.	Heyward Oxbrough	Col.
Thady Connor	Lieu. Col.	Edward Scot	Lieu. Col.
. . . . .	Major	Laurence Delahunty	Major
John Grace	Col.	Dom. Browne	Col.
Robert Grace	Lieu. Col.	. . . . .	Lieu. Col.
Cha. Moore	Major	Le Sir Mountjoyne	Major



Owen Mac Carty	Col.	Felix O Neile	Col.
James Dupuy	Lieu. Col.	O Neile	Lieu. Col.
Terence O'Brien	Major		Major

John Barrat	Col.	Hugh Mac Mahon	Col.
Donogh Mac Callaghane	L.C.	Owen Mac Mahon	Lieu. Col.
	Major	Christophe Plunket	Major

Charles O'Brien	Col.	Lord Inniskillin	Col.
	Lieu. Col.		Lieu. Col.
William Saxby	Major		Major

Daniel O'Donnovan	Col.	Dennis Mac Gillicuddy	Col.
Fran. Napper	Lieu. Col.		Lieu. Col.
Sir Alphon Motit	Major		Major

Lord Ireagh	Col.	James Purcel	Col.
Brien Magennis 1st	L.C.		Lieu. Col.
Francis Wabup 2d	Major		Major

Roger Mac Elligot	Col.	Lord Hunsdon	Col.
Maurice Hussey	Lieu. Col.	Rob. Ingram 1st	Lieu. Col.
Edmund Fitz-Gerald	Major	John Gifford 2nd	Major
		Francis Giles	Major

Edmund Reyley	Col.
	Lieu. Col.
	Major

Regiments sent to France,  
viz.

Cucunnough Mac Gwyre	Col.
Alex. Mac Gwyre	Lieu. Col.
Cornelius Mac Gwyre	Major

Walter Bourke	Col.
	Lieu. Col.
	Major

Lord Mountcashell	} Col- nels
Daniel O'Brien	
Richard Butler	
Robert Feilding	

(N. 12.) *A Copy of the Letter dispers'd about the Massacre, said to be design'd on the 9th of December, 1688.*

*Good my Lord,*

*Decemb. 3. 1688.*

**I** Have written to let you know, That all our *Irish-men* through *Ireland* are sworn, that on the 9th Day of this Month being *Sunday* next, they are to fall on, to kill and murther Man ; Wife and Child, and to spare none; and I do desire your Lordship to take care of your self, and all others that are adjudged by our Men to be Heads ; for whoever of them can kill any of you, is to have a Captain's Place. So my Desire to your Honour is to look to your self, and to give other Noble-men warning, and go not out at Night or Day without a good Guard with you; and let no *Irish-man* come near you, whatever he be. This is all from him, who is your Friend and Father's Friend, and will be, though I dare not be known as yet, for fear of my Life.

*Direct this with Care and Haste  
To my Lord Montgomery.*

(N. 13.) *Lord Montjoy's Circular Letter, on his going to France.*

*Gentlemen,*

*Dublin, 10 Jan. 1688.*

**Y**OU had an account how long I staid on the Way, after I left you, and the Reasons which made me since go forwards: And whatever any Jealousies were at my first Arrival, I am now satisfied at my coming; and with God's Blessing, I hope it will come to good to us all. As soon as I saw my Lord Deputy, he told me,

He

He designed to send me to the King jointly with my Lord Chief Baron *Rice*, to lay before him the State of the Kingdom; and to tell him, That if he pleased he could Ruin it for him, and make it a heap of Rubbish; but it was impossible to preserve it, and make it of use to him; and therefore to desire leave to treat for it. The Objections I made to this were Two; my being not so well qualified as a Northern Roman Catholick, whom in all likelihood the King would sooner give Credit to: And the improbability of being able to persuade the King, who is now in the *French* Hands, to a Thing so plainly against their Interest. To the First of these, I was answered what is not fit for me to repeat; and the other is so well answered, that all the most knowing *Englishmen* are satisfied with me, and have desired me to undertake this Matter, which I have done this Afternoon; my Lord Deputy having first promised me, on his Word and Honour, to perform the Four Particulars in the within Paper. Now because a Thing of this Nature cannot be done without being Censured by some, who perhaps would be sorry to have their Wishes in quiet means, and by others who think all that Statesmen do are Tricks, and that there is no Sincerity amongst them; I would have such to consider, That it is more probable I and the most intelligent in this Place, without whose Advice I do nothing, should judge right of this, than they who are at greater Distance; and as it is not likely we should be Fooled, so I hope they will not believe we design to betray them, our selves, and the Nation. I am morally assured, that this must do our Work without Blood, or the Misery of the Kingdom. I am sure it is the Way proposed in *England*, who depend so on it, that no Forces are appointed to come hither; and, I am sure what I do, is not only what will be approved of in *England*, but what had its beginning from thence. I do therefore conjure you, to give your Friends, and mine this Account, and, for the Love of God, keep them from any

Disorder or Mischief (if any had such Design, which I hope they had not ; ) and I am fully satisfied, every Man will have his own Heart's Desire. I will write to this effect to some other Places, and I desire you will let such in the Country, as you think fit, see this. Let the People fall to their Labour, and think themselves in less Danger than they believed, &c.

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(N. 14.) *Judge Keating's Letter to Sir John Temple,*  
December 29. 1688.

S I R,

I Had ere this acknowledged the Favour of your last, and returned you my Thanks for your kind Advice, relating to the small Concerns I had in *England*, which I have now disposed of here ; but to deal freely with you, the Distractions arising from the Great and Sudden Alterations in *England*, and the pannick ( but I believe groundless ) Fears which have possessed the Minds, not only of the weaker Sex and Sort, but even of Men who would pass for Sober and Judicious, hath rendred Matters with Us so uncertain, that I profess seriously, I know not what to write ; nor dare I yet give you any Account, relating either to particular Persons or Places of the Kingdom scarcely of what I hear from the Remote Parts even of this City ; since what we have at Night for certain Truth, from those who pretend to be Eye or Ear-witnesses of what they relate, we find before the next Days Exchange is over, to be altogether false and groundless. The fear of a Massacre had been mutual ; the Protestants remembring past Times, and being alarm'd by a Letter, neither directed to, nor subscribed by any Person, but drop'd at *Cumber* ( of which, Copies were disperst throughout all Parts of the Kingdom ) were frighted to that degree, that very many of them

them betook themselves to the *Ards*, and other places of Security in the North: Some into *Scotland*; and very many Families Embark'd from this Port for *Chester*, *Liverpoole*, *Beaumaris*, and the next adjacent Ports of *England* and *Wales*, who you may easily conclude, carried with them all the ready *Mony* and *Plate* which they were *Masters* of. Nor was it a difficult matter for them so to do, the *Consternation* being so great and so sudden, that even the *Officers* of the Port, either out of *Compassion* to the departing Crowd of *Women* and *Children*; or, being amaz'd at the suddenness of the *Fright*, neglected to do their *Duty*, whereby this *City* and the adjacent *Parts*, are almost drained dry, as to *Cash* and *Plate*; which is manifest from *Guineas* being sold at 12 *d.* per piece, over and above the usual *Rate*. On the other hand, the *Roman Catholics* were very many of them under equal *Fears*; and indeed, all of them, except the *Army*, who by their *Calling* are exempt from, or at least from owning it, pretended equal *Dread* from the *Protestants*, who (as they alledg'd) far exceeded them in the *Northern Parts*, and were extraordinarily well *Arm'd* and *Hors'd*; but their greatest *Apprehensions* arise from a constant and uncontradicted *Assurance*, which private *Letters* by every *Pacquet*, brought hither, that the *Duke of Ormond*, with a considerable *Army*, and many experienc'd *Officers*, was to *Land* forthwith in *Munster*. And in this Condition now stands this poor *Kingdom*; the contending *Parties* being equally afraid, or at least pretending to be so of each other; which cannot but beget great *Anxiety* and *Sorrow* in the *Mind* of every good *Man*, who hath the least concern for his *King* or his *Country*. In the interim the *Lord Deputy*, intrusted by his *Majesty* with the *Government* of this *Kingdom*, and keeping it intire in its *Obedience* to all his *Commands*, doth daily grant *Commissions* to raise and procure *Arms* and *Ammunition* for great *Numbers* of *Men*: In doing whereof (considering the great *Trust* imposed

in him) no Man of Honour or moral Honesty can truly blame him: But, at the same time, he takes all Opportunities, both private and publick, to declare, That whenever his Majesty shall signifie his Royal Will and Pleasure, for disbanding the Army that now is, or hereafter shall be raised upon the Commissions now issuing: or shall give direction for any other Alteration in the Government, he will without one Days hesitation, himself, and those of his Relations, and other Dependants in the Army, whom you know to be very Numerous, give an exact Obedience. And if any should be so Fool-hardy, as to scruple or make the least delay of doing so, they shall in a few Days be taught and compelled to do their Duty.

I must likewise tell you, That in this Conjecture of Affairs, the Thieves and Robbers are not only become more Numerous, but likewise much more Insolent, and instead of small Thefts, do now drive away by Force whole Herds, and sometimes, when overtaken, deny to restore the Prey. This in many places, and especially in the *North-west*, is done by the Cottiers, and Idlers in the Country, but Father'd generally on the Army; of which I have now an Instance before me from *Ballen-glass*.

All this, I know, you have had repeated to you from divers Hands; however I thought my self obliged in the Station which I hold, to give you this Summary Account of our present condition, which God knows is very bad, and in all humane probability, if we take not up more Charity than as yet we have for each other, will receive sharp Corrosives and bitter Potions, to bring us even to the hopes of living, though in great Penny and Want. Nor can we expect, in case that any Resistance shall be made by the Roman Catholicks here, that we shall see any End thereof, untill the Buildings, Plantations and other Improvements of Thirty years Expence and Industry be utterly wasted, and the Kingdom brought to the last degree of Poverty and Confusion,

fusion, and from the most improved and improving Spot of Ground in *Europe*, as you saw it Six years since, become a meer *Acheldama*, and upon the matter totally desert. For Armies, when once raised, must be maintained by the Publick, or will maintain themselves: Nor can Military Discipline be expected, where the Soldier hath not his Wages; and whether that can be had out of the publick Treasury here, I refer to you, who have weighed the Revenue of the Kingdom, when at the best even unto a Drachm. But after all this, I am confident and assured, that the Government of *England* will, and must at length take place here, against all Opposition whatsoever. It hath cost *England* too much Blood and Treasure to be parted with; but, if it should come to a Contest of that kind, the Victors (I fear) will have little to brag of, and will find in the Conclusion, nothing but Ruins and Rubbish, not to be repaired in another Age. Nor will the People thereafter reckon of any Security and Stability in this Kingdom, so as to apply themselves to the repair of them, but expecting such periodical Earth-quakes here, will provide themselves of Retreats in *England* and *Scotland*, as many have of late, and daily do.

Your Patience is, I fear, by this at an end; when you begin to enquire with your self, To what purpose it is that I have given you all this Trouble. I must confess, your Enquiry is not without Reason; but however to you, whose Friendship I have always found, and valued my self much on it, I do without difficulty declare what hath induced me hereunto.

The wonderfull Alterations which a Months time hath produced in *England*, in regard to the Protestant Religion, and the Universality of it: The little Blood that hath been spilt in so great a Change; the few Acts of Hostility, and little Disquiet which have as yet appeared, has almost persuaded me, That this Unfortunate Kingdom may by the Interposition of moderate Men, be restored to the same Estate of Religion and



Property that it rejoyced in Seven years since, with an addition of further Security for the preservation of both, if more be requisite, considering the many Acts of Parliament still in Force in this Kingdom.

It cannot be imagined ( Sir ) but there are very many who having either lost their Estates upon the Forfeitures of 1641, or by their Profuseness and Prodigality, spent what they were restor'd to, would willingly see the Kingdom once more in Confusion and Blood; designing by Licentiousness and Rapine, to supply their extravagancies. There want not on the other hand, some who conceive, that the Court of Claims has contrary to the Settlement, taken from them their Possessions, without Reprizals; and very many, who being put by their Employments and Commands, wish for a Time to expostulate with those who are possessed of them. But all these, in my humble Opinion, ought to give way to the publick Quier and Settlement of a whole Nation, ready to fall into Ruin.

I am verily perswaded, That with a little good Management, the generality of the Roman Catholicks, and indeed of the whole Kingdom, would be very glad to be put into the same condition in all respects, as they were Six years since; and desire no more than an Assurance it should not be made worse. And if there be Faith to be found in a Man, the Lord Deputy and Roman Catholick Nobility and Gentry of the Kingdom, who are universally concerned in the present Army, and in that which is to be raised, will, upon the first signification of his Majesty's Pleasure to that purpose, unanimously Disband, retire to their several Dwellings, and apply themselves to advance the Quiet and Wealth of the Kingdom. Nor can I ever doubt his Majesty's condescension and care for the Preservation of this his Kingdom, and preventing the effusion of Christian Blood. For most assuredly, if War should happen here, which God of his infinite Mercy prevent, His Majesty would be the only great Sufferer, in the

loss of so many Subjects Lives; wherein consist the Wealth and Strength of the greatest Monarchs.

There are very many now at *London*, who know the State and Condition of this Kingdom much better than I pretend to; what I now write, I design not as a Secret, but if you think it worth Consideration, I leave it to you, to communicate it to such as you shall think fit: And if there be any thing in it worthy their Thoughts, I must declare that there is nothing within the reach of my industry, that I will not endeavour in the method of my Profession, for the maintenance of Religion and Property, as established by the Laws of this Kingdom; and should die with the greatest satisfaction, and reckon it a Nobler Posterity than any Man can pride himself in, if I could be in the least Instrumental in the settling Peace and Quiet, without more hazard or loss to this my Native Country, which I make no doubt the Almighty will in his Good time effect, by his own Means and Instruments, more deserving of so great a Blessing from him than I am. If this find any room with your self, other thinking Men, or such who have great Stakes here, let me know your Thoughts with what convenient speed you can, it being a *Matter* in which a *Moment* is not to be lost, and the first Step to be made there; since it cannot be expected that the Lord Deputy will do any thing in a *Matter* of so great moment, without His Majesty's Directions.

(N. 15.) *Pra.*

(N. 15.) *Proposals humbly offered to the Earl of Tyrconnel, Lord Deputy, by the Bishop of Meath, about the intended Search for Arms.*

**W**Hereas your Excellency hath Ordered by your Declaration, That a Search shall be made in every House in *Dublin*, for Arms and Ammunition; and that, in case any should be found upon Search, that the Persons with whom they are found, shall be left to the Mercy of the Soldiers: this Penalty is thought unreasonable on these following Accounts.

*First*, Because it is not determin'd by the Declaration, who shall be the Searchers: For if the Matter be manag'd as hitherto it hath been, every one who pretends to be a Soldier must have liberty to Search, and in such Numbers, and as often as they please, no House can be safe; for that some have been already searched by six Companies one after another, and that in the same Day. And if any of these should pretend to find a Pistol, or Bagonet, or Horn of Powder, though he brought it out of his Pocket, with a Design to Draw an Inconvenience on the House; yet by the Declaration, the House and all that is in it, must be left to the Mercy of the Soldiers; and by this means, the Innocent may suffer as well as the Guilty.

*Secondly*, That if the Soldiers be permitted to search, there will be so much Damage by it to this City, that an Age cannot Repair it: For, by this means, every Place that is capable of concealing Arms, must be left to their Discretion; the Boards will be ripp'd up, partition Walls broken down, Wainscot taken away, Cellars digg'd up, the Foundations of Houses endanger'd, Barrells of Bear open'd, Provocations offer'd and receiv'd, the safety of the People in apparent hazard, many things taken away without hopes of Restitution; the Looms of Tradesmen, and the Instruments of Artificers destroy'd,

destroy'd, and his Majesty's Interest disserved after all by the Soldiers, endeavouring rather to serve their own Ends, than his Majesty's true Interest.

*Thirdly*, In many Houses there are several Families, Lodgers and Servants of several sorts; and if any of these, either out of Malice or Folly, or good Will to their Masters, conceal any Arms, though never so considerable, all the rest, though Innocent, must suffer for it; which is against Equity and Justice, that requires every Man to suffer only for his own Fault, and not for the Fault of others.

*Fourthly*, Many have had Lodgers in their Houses for several Years whose Trunks and Papers are still there and possibly Arms may be in them, which the House-keeper knows nothing of. It is therefore Unreasonable, That either the Owners of such Goods being absent, or the Masters of the House that know nothing of it, should suffer for what they cannot help. By this means Papers may miscarry, and the Estates of Men be ruin'd and undone.

*Fifthly*, Many Landlords, Owners of Houses, are either gone for *England*, or absent, elsewhere about their lawfull Occasions, and their Servants may either not know where their Arms are, or foolishly endeavour to conceal them, and so expose their innocent Masters to Ruin.

*Sixthly*, The leaving Persons to the Mercy of the Soldiers, is a Punishment so unknown to our Laws, and so strange to these Kingdoms, that the Execution of it will be a great prejudice to his Majesty's Affairs, and alienate the Hearts of his Subjects more from him, and do him (whose Presence they expect) more mischief than the Arms can do him good. It is an ill President, and may in time destroy the whole Kingdom, and subvert the Law.

It is therefore humbly propos'd, that in case your Excellency be not satisfied with the Returns already made, and to be made; but you will still go on with the Search, that your Excellency would graciously condescend

send to these following Expedients, for the better Ease and Quiet of his Majesties Subjects.

*First*, that whereas each Parish is divided into its several Wards, that your Excellency would order the Search to be made by the Duputy Alderman of each Ward, with the Assistance of one or more Military Officers, as your Excellency shall think fit, and not by the Soldiers: For by this means, what Arms are found, will be secured for his Majesty's Use, and the Subject freed from the fears of Plunder and Ruin.

*The Search intended is so provided for, to be by an Alderman and an Officer.*

*Secondly*, That no Man be responsible for no more than his own Goods, nor the Punishment inflicted on any but the Guilty.

*His Excellency consents to this.*

*Thirdly*, That regard be had to the Goods and Papers of all Persons that be absent, and who by reason of their Absence before the Declaration was published, cannot be presumed to be Violators of it.

*His Excellency consents to this.*

*Fourthly*, that a Declaration be published to this purpose, for informing the People of your Excellency's Intentions, which will contribute much to the allaying of their Fears and the quiet of their Minds.

*His Excellency allows the Bishop of Meath, to declare this to all Persons,*

*Fifthly*, That whereas your Excellency did by your Declaration, order all Arms to be returned into the Parish Churches; and yet in some Parish Churches

there were no Officers appointed to receive them; That your excellency would by a new Proclamation, order such Arms as have not yet been delivered for want of such Officers to receive them, be received by such as your Excellency shall think fit to appoint.

*An Account of this to be given to the People, by themselves or Churchwardens, or Clerks; as also publick Notice in the Church to Morrow Morning.*

*The Return to be made to the Clergy by the Inhabitants, and by the Clergy to the Bishop of Meath.*

That his Excellency doth not intend to bind himself from searching for Arms in the City of *Dublin* by the late Declaration, because it was published before its Time, and without his Order, in case a more due Return of Arms be not made, than he hath hitherto received.

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(N. 16.) *An Account of the Conditions made in the Field, between the High-Sheriff of Galway, and the Prisoners of the Condemned.*

W Hereas *James Power Esq;* High Sheriff of the County of *Galway*, Captain *Thomas Bourk*, Commander in the Chief of his Majesty's Forces quarter'd in the Town of *Loughbreagh*, having Intelligence, That several Gentlemen and others, on the First day of *March* instant, Travelled the Road leading from *Irris* in the County of *Clare*, towards the Town of *Loughbreagh*, being the Road they intended to go, met them there, and demanded their Horses and Arms for his Majesty's use; which, upon Capitulations made between the said *James Power Esq;* and Captain *Thomas Bourk* of the one Part, and Sir *Thomas Southwell* Baronet, *Bartholomew Purden Esq;* and *Thomas Miller Esq;* on the other Part,

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in behalf of themselves and of all, as well Gentlemen and others that were with them, and of their Company, were freely and peaceably delivered and given up by them to us for his Majesty's Service, on these following Conditions. The Capitulation which we the said *James Power Esq;* and Captain *Thomas Bourk*, promised them in behalf of the Government, should be honourably and punctually perform'd and kept.

*Imprimis,*

That they and every of them should have their Lives preserved, and that whatsoever they had acted in that Affair (they affirming, that their coming in that posture was for preservation of their Lives) should be forgiven and forgotten; and Passes given them, or any of them, to go where they pleased (provided they do not go to the *North* or *Sligo*) without being rifled, or any thing taken from them, except such Horses and Arms as were fit for his Majesty's Service.

*Secondly,* That every Gentleman of them should have their own Pistols and Swords and one Nagg or Horse given them to ride on, in case his own (being musterable) should be taken from him.

*Thirdly,* That if they desired it, they should have a Party of Horse or Foot to protect them, for their greater Safety in Travelling where they or any of them had a desire to go, except to the *North* or *Sligo*, as aforesaid. Given under our Hands and Seal the First Day of *March* 1688, and in the First Year of his Majesty's Reign, *James* the Second, by the Grace of God, King of *England*, *Scotland*, *France* and *Ireland*. &c,

Note, That it hapned near Night when they met, so that the Agreement before mentioned, could not be reduced into writing in the Field; but several times since being tendred to the said High-Sheriff and Captain to Sign, they still declined it, but nevertheless acknowledged the Truth thereof before the Lord Galway, Father Dolphin



phin the Friar, and others in Laughreagh. And about Eight or Nine Days after, the said Captain Bourk Signed a Certificate in Presence of Captain Arthur French; and the said High-Sheriff writ a Letter to the Lord-Deputy, containing the principal Part of the said Articles, as by the following Copy may appear.

*Captain Bourk's Certificate, delivered by Captain . . . . . to Captain French, Good-Friday, 1688.*

W Hereas on the First Day of this Instant *March* Sir *Thomas Southwell*, with a considerable party of Horse, were travelling from the County of *Clare*, through the County of *Galway*, near *Loughreagh*; an account whereof being brought to Captain *Thomas Bourk*, whose Troop Quartered at *Loughreagh*, and on Notice immediately with his Troop repaired to meet the said *Thomas Southwell* and his Party, and having drawn up within Shot of each other, the said *Thomas* sent one to give an account of his and his Friend's design to Ride without Offence, through the County, and prayed not to be molested; Whereupon the said Captain *Thomas Bourk* made answer, that without the Governments Pass so considerable a Party should not Ride where he had Power to hinder them. Then the said Sir *Thomas* desired to be permitted to return whence he came. To which he was answered; That by a late Order from the Government, Captain *Bourk* was to seize all Arms and Horse fit for his Majesty's Service in the County of *Galway*, and that he would not permit them to go on, nor return till he had their Horse and Arms; and persisting firm therein, the said Sir *Thomas* and his Party submitted, and declared their Obedience to the Governments Order; he the said Captain *Thomas Bourk* assuring them that he would secure them their Lives, and offered

offered them such small Naggs as he thought fit to carry the said Sir *Thomas* and Cheif Gentlemen back to their respective Homes. This I the said Captain *Thomas Bourk* having promised on my word do now Certifie for Truth, as Witness my hand this 9th Day of *March*, 1688.

T H O. B O U R K.

*A Copy of the High-Sheriff's Letter delivered to Mr. French on Good-Friday, 1688. per Captain Jourdon.*

*May it please your Excellency,*

*Loughreagh, March 9th 1688.*

**I**T hapned on *Friday* last the first Day of this Instant I had Intelligence, that a Party of Horse with Sir *Thomas Southwell* and others, were making their way through this Country into *Sligo* or the *North*, being routed out of *Munster*: whereupon the Horse and Foot in this Town being commanded by Captain *Thomas Bourk*, and Captain *Charles Dawley*, made ready to intercept the said Sir *Thomas* and his Party, who met upon a Pass and faced one another; but a Treaty being proposed, they came to a Capitulation, wherein it was agreed, that the said *Thomas* and his Party should lay down such Horse and Arms as was fit for the King's Service; and after so doing, that they and every of their Lives should be secured them, and dismissed with such Passes and Convoys as may bring them safe to their several Habitations without any Harm to their Persons or Goods. All which with Submission at their requests I humbly offer to your Excellency and subscribe,

*Your Excellency's most Humble,*

*and most Obedient Servant,*

**JAMES POWER**

N. 17.) *A Copy of a Letter from Bishop Malowny to Bishop Tyrrel; the Original found amongst Bishop Tyrrel's Papers.*

*James  
James*  
March 8th. 1689.

I Have yours ( my D. L. ) of the 9th. of January last, your Style, by Mr. Despont. 'Tis large and plain enough, and another before more Concise and in Merchants Style, both tending to the same end, and of which I made use to the same purpose, notwithstanding all the Discomposure of my Health this Month past, as you shall I hope find by the Effects e're this comes to your hands; for the King upon your earnest Invitation in both your said Letters, and by other strong Considerations, took of a sudden the Resolution to go unto you, and parted hence this day Sen- night being the last of February, and I hope in God is by this time landed somewhere in Ireland, for the Wind serves fair ever since he parted; and he did expect to be on Friday Night ( this being Monday following ) at Brest, where all things, and most part of the Officers were in a Readiness staying for his Majesty's Arrival, for to part with the first Wind. I wrote unto you in that Conveniency by Sir Neal O Neal, and another by Post at the same time. This will go slower, and by the second Voyage of the same Ships when they come back for more Men and Commodities. It goes by a Friend I dare trust with all the Secrets of it; and so I will be full, plain, and overboard.

The Bearer is Doctor Butler, a good Gentlemans Son, of a good Estate when People enjoyed their own Birth-right, to which he is become himself Heir, if he can recover it; In which I shall beg your Favour and Protection for him when occasion doth require. He has made all his Studies and took his Degrees here; I have

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sufficiently instructed him of all the Contents of this Letter by word of Mouth for fear of any Miscalriage; and although I ought to presume that all and every of you there (and especially so clear sighted and foreseeing Persons as you, and other like you) need no Advertisement, or Spur; Yet my Zeal *pro Fide, Rege, & Patria*, could not dispense with me to be silent from writing, when I am not upon the Place to speak my Sense as others.

Now, my Lord, you have the King so much wished and longed for, of whom we may say without Offence, as of our Saviour, *hic positus est in Ruinam & Resurrectionem multorum*: If you make good use of him, you may get a Resurrection of many by him; but if you make a bad use, you may get their Ruin; so all depends, under God, of the good or bad use you make of his Presence amongst you; it is but a special Providence of God that he is so unexpectedly gone thither: But when God's Providence is either slighted or neglected by People not helping themselves, and not making use of the Occasions offered them by Providence, God can and does usually with-draw his special Providence; *Conantes adjuvat, exauditque deprecantes*, says S. Augustine. My Lord, the Game you have now to play is very nice and ticklesome. The Religion, King, and Countrys Ruin or Resurrection depends on it; If you play it well you will carry all and save all; but if you play it ill, you will lose all and for ever: All consists in resolving well how to dispose of *Ireland*, in the present Conjunction, being the only Country that appears now for the King; wherein you have two Parties to manage; The one, to wit the Protestant New-comers and Usurpers, under the Rebellion of *Cromwell* are suspected, or rather certain can nor will ever be Loyal or Faithful, whatever Outward Shew or Promises they make: Which is manifest by their several Instances in our Days both in *England* and *Ireland*. The other Party to wit, the Catholics of *Ireland* proved still faithful and Loyal

al to the King at Home and Abroad, though very ill recompensed. Now the great question to be decided will be, whether (setting aside the manifest and incontestable Injustice of that most barbarous and inhumane Act, they wrongfully call *THE SETTLEMENT OF IRELAND*.) Whether I say it is more politick and prudent to trim and temporize now with those Usurpers, promising really or seemingly not to disturb them in their unjust Possessions, than to restore the true ancient Proprietors; turn off, or rather secure the Usurper, and make up a strong and potent Army, all of True, Loyal, Faithful and Incorruptible Men, without any mixture of Trimmers or Traytors? I would think the Question thus Stated, is soon resolved by natural Reason, divers Instances and sad Experiences. What Man of Sense or Reason can imagine, that those who by their Rebellion cut off their King's Head like a Scelerate on a Scaffold, banished his Queen and Children into Foreign Countries to beg their Bread for so many Years together; and after the Heir's Restauration to his Crown, not only put so many hard and unjust Conditions upon him; namely that of excluding the *Irish* Catholicks from the Amnesty General, but also used so many foul Means and Contrivances to murder and Massacre him and his Brother together; and seeing the King Issueless, to use all their Endeavours to exclude the Brother from his lawful Birth-right and Succession to the Crown; and when they could not by a Legal and Parliamentary way perform it, at last draw Foreign Power into the Kingdom, with whom by a most horrid Relligion, and most Trayterous Defection, they all joyn, and turn him from his Throne, and banish him with his Queen and Son, the only lawful Heir of the Crown, into Foreign Countries; again placed a Foreigner upon the Throne in a Month's time, after declaring the Crown vacant, though he and his Son still alive. All these barbarous and Trayterous Transactions done within Forty Years time in the Face of the World;

By all which experiences, the present King in his own Person passed : But how can it be possible (say you) that the King having tried in his own Person all these Instances and Experiences, with several others, he could be thus imposed upon and deluded ? I tell you, by the same Reason, that you may be now deceived, if you are not cautious ; that is, by want of Capacity and Sincerity in his Advisers, telling him still, he must do nothing that may irritate or provoke the Anger of the Protestants of *England*, who are very dangerous ; That he must get them by fair means, granting them all they desire ; nay preventing their desires by all good Offices and Marks of Kindness, even to the Prejudice of his Crown and Dignity. By this fair Politick, they hindered him from drawing Succour out of *Ireland* sooner, from making up a *Catholick* Army that would stick to him, instead of a *Protestant* one that betrayed him ; hindered him also from having any Succour from *France* offer'd him : Obliged him to declare that he had no Alliance with *France* ; and never to believe that the *Dutch* had any Design upon him or his Country, till they were in the very Bowels of it. Let any Man of Sense see if such rotten Principles and Politicks, that produced such Fatal Effects, ought to be insisted upon or embraced. If the King of *France* had not been too generous and too a Christian Prince, were it not a sufficient Motive for him to reject the King in his Disgrace, that upon those rotten Principles rejected his Alliance ? Yet those, and only those Principles, will be made use of to perswade you there, that you must not think of your own Restauration and Assurance at Home first, but go into *England* to restore the *Catholicks* : And if there be any other Adherents of the King's there, that it will be time enough to think of your own Restauration after : Which, is the same as to say, at Dooms day : For never a *Catholick* or other *English*, will ever think or make a step, nor suffer the King to make a step for your Restauration, but leave you as you were

were hitherto, and leave your Enemies over your Heads to crush you any time they please, and cut you off Root and Branch, as they now publickly declare; and blame themselves they have not taken away your Lives along with your Estates long ago; nor is there any English man, Catholick or other, of what Quality or Degree soever alive, that will stick to sacrifice all *Ireland* for to save the least Interest of his own in *England*; and would as willingly see all *Ireland* over, inhabited by *English*, of whatsoever Religion, as by the *Irish*: And yet by their fine Politicks, they would perswade the *Irish* to come and save their Houses from burning, whilst they leave their own on fire: Which is no better than to look upon People as so many Fools, when every body knows that Charity begins at Home; that one's Charity for himself, is the Rule and Measure of that he ought to have for his Neighbour; *diliges proximum tuum sicut teipsum*. Is it not a better and more Christian Politick for the King, and all that are faithful unto him, to restore first a whole Kingdom that stands out for him, when all the rest failed, to their Birth-right which they have been out of these Thirty Six Years, only for being obstinately Loyal to his Father, Brother and himself, than to displease those who have been and are still Loyal, (and who can get any Condition they please from the Enemy to joyn with them) by thus pleasing or trimming with those who never were, or ever will be True or Faithful; and when they are thus restored, and no Enemies left in their Bowels that can do his Majesty or them any Harm, then to go in a strong Body together with his Majesty into *England*, joyn with all such that will prove Faithful and Loyal, and so restore his Majesty to his Throne, and each one to his right? I would fain know from these trimming Politicks, whether it be not securer and more honourable for the King to offer all fair Means, and shew his Clemency to his People when he is in Condition to force them to what he pleases to exact of them, than to be daily undervaluing himself by



offering them all the fair Means imaginable, which they slight and scorn, because they seeing he has no Means, to force them or do them Harm, think he does all only out of fear, and not by any sincere or true Affection? And I would fain further know, if it be not better and greater Policy for him to put the Kingdom of *Ireland* (still so Loyal unto him) upon the best and highest Foot both Ecclesiastical and Temporal he can contrive, and yet granting it nothing but its natural Right and Due, that it may be a Check upon the People of *England*, who are ready every New-Moon to rebel, than keep it still in a continual Slavery and full dependance on such perfidious and inconstant People, and himself deprived of the support he can still have from thence against their Revolt? I dare averr, if *Ireland* were put upon such a Foot by the King, he shall never fear any Rebellion in *England*, especially if *Scotland* be faithful to him, and *France* a Friend; all which can now be well contrived and concerted. But when all is done, I would fain yet know from those Politick Trimmers, by what Law of God or Man, Ecclesiastical or Politick, they think *Ireland* is bound to be the Sacrifice and Victim of the Rebellion of *England*, either for to hinder those turbulent People from Rebelling, or for to Reconcile them to their Duty, by giving them, forsooth, as Recompence, the Estates of those unfortunate Catholics, and send themselves a begging? I dare say, no Catholick in *England*, much less a Protestant, (who would so easily give his consent and advice, that the Estates of the *Irish* Catholics may serve as a Recompence for the *English* Rebels) would willingly give a Plow-Land of his own Estate to Reconcile all the Rebels of *England* to their Duty, if he were not afraid to lose his own whole Estate by the Rebellion, and yet would advise to do to others what he would not have to be done to himself, contrary to the great Rule and Maxim of Nature and Christianity, *Quod tibi fieri non vis, alteri ne feceris.*

I would fain further know from this Politick Trimmer,

mer, so large of other Peoples Goods, and so sparing of his own, if one Province in *England* had revolted against their King, as the whole Kingdom does now; and that the rest of the Provinces continued faithful, would they think fit or prudent to give their Lands and Estates to those Rebels for laying down their Arms, and go beg themselves? Or would the King expect or desire it from them? No sure: But rather that they should take up Arms, and joyn with his Majesty to reduce and punish such Rebels in lieu of recompencing them with the Loyal's Estates: And is not that the case of the *Irish*? Why do you not then judge alike? Or if you do not look upon an *Irish-man* as a Fool, why will you have him do what you say is not fit for your self or other fellow Subjects to do in like case? And sure you must think him a Fool and After-wit, as you use to say, if he will be perswaded, by your Trimming Politick, to leave his own Estate to his Enemy, and come to save yours; who would but laugh at him the next day at the best for his folly? If their great and long Vexations have not given the *Irish* better understanding, and know how little regard all the *English* whatsoever have for them, they deserve to be dealt with like Fools.

But who would think it were Prudent or Politick for the King to bring a great Body of Men out of *Ireland* into *England* or *Scotland*, leaving behind him in *Ireland* a considerable strong Party of Phanaticks, all Enemies, whatever outward shew they make to the contrary, to rise in Arms as soon as they see the King turn his Back to them, and they get a supply from their fellow Rebels out of *England*, which will not be wanting at any time, and so cut the Throats of all His Majesty's true Subjects in *Ireland*, and shut himself up between two Potent Enemies in *England* and *Ireland*? whereas by setting the *Irish* on a sure Foot, he always hath for a Refuge that Country, which he will find to be far better than nothing, and may be with time, a means to come into *England*: But Trimmers will tell him, That

it is no matter for His Majesty, if he can gain the *English* Rebels by sacrificing *Ireland* to them who will inhabit it, whether *English* or *Irish*; nay, I believe rather *English*, and so make it an *English* Interest all along; and he will be apt to believe it: But it imports the *Irish* to look about them, and consider if that be their Interest.

Add to all these considerations, with many more and better you can think of, an essential and indispensable one, which is to please this King and Court, of whom his Majesty now, and you all depend solely and wholly, by saving their Interest along with that of his Majesty and your own, which cannot be done but by settling of *Ireland* upon the best and most advantageous Foot that can be contrived with Reason and Justice, that it may be a Check upon *England*, as *Scotland* formerly, to keep it from Rebellion against their own Prince: From trouble and Invasion upon *France*, and a Tye upon the Kings of *England* hereafter to keep good Correspondence with *France*, and keep *Ireland* in a flourishing happy condition, and not to be Slaves to all the People, and Scums of *England*. If (48) the Duke of *Tyrconnel* or other, were loath to press any such Conditions or Proposals on the King, they may make use of the *French* Minister Count D' *Avaux*, who is with him as a good Adviser, and for to manage his Masters Interest. I think it may be well and rationally proposed, if by the King of *France*'s means such an advantageous Settlement may be procured for the Nation; and that he would be as a Guarranty or Protection of it, to give him as well for his assurance or Guarranty, as for the payment of what he advances for the King and Country, some Sea-ports in *Ireland*, as you have hinted in your last.

This is what now comes into my head upon this Subject, which (M. B.) Bishop *Malowny* does not neglect to insinuate and imprint as much as he can, (tho' not well in his health) into the Heads and Hearts of the Minister and People about Court. (27) Tho' King *James* gave no Power or Credit to any Body here to speak of Business,

ness, but to his Son-in-Law (*L.W.*) the Lord *Walgrave* (in Cypher 110.) but (*M.B.*) the Bishop of *Malowny* does it privately upon his own account and acquaintance with the People, without thwarting him in any of his Ways. But you know what one says, *tanquam potestatem habens*, carries more weight than what he says as a private man; And therefore I think it were not amiss that (48) the Duke of *Tyrconnel* from himself, or by the said *French* Ministers means may get order from (27) King *James* that (92) the Bishop of *Malowny* may be heard and Credited at Court as to the Concerns of (78) *Ireland*, which to prevent and hinder some that would not have it put into (27) King *James's* head (as 'tis thought) to desire (92) the Bishop of *Malowny* to follow him as soon as he were well in his health along with (23) the Lord *Dover*, and before he saw himself to tell him so; knowing he was sick, gave orders to (18) the Lord *Mountjoy's* fellow Traveller, (whom I added to the Cypher thus (112) Chief Baron *Rice*, to tell him so, which he has performed only by another, Master *Barry*, belonging to (34) the Queen, for he never came himself to see him, which I think was not prudently done of him, (setting civility aside) for they may communicate one to another what may be best to do with (86) the *French* King for the service of (78) *Ireland*, and certainly without any vanity (92) the Bishop of *Malowny* knew better how to manage that Interest with (86) the *French* King, than he or any of his profession there: But I find some do suspect the sincerity of that Man for the Publick Interest; I know not if they wrong him; but one thing I know, he does not like to see any of (64) the *Irish* Clergy or (65) Catholick Bishops have any hand in Business: Of which I think I gave you once already a hint from (87) *London*, when he and (98) Chief Justice *Nugent* were there; and I cannot tell but it may be he that might have given (27) King *James* that advice of drawing (92) the Bishop of *Malowny* from hence, who desires not to be but where he may be most useful

ful to his Religion, King and Country; and if any necessity may be of his Vote there, he can send you a Procuration in blank if he be thought more useful or necessary here.

'Tis now high time I suppose, you should ask me what is this great and solid Settlement I would have for *Ireland*? To which I answer; That you and others there likely know best. But that I may speak my own little sense on the matter; I say, I would have two or three of the *Irish* Nation to be still of the King's Council, and one of them Secretary of State for the Affairs of *Ireland*, as *Scotland* has. I would have some of their Nobility to be of the Bed-chamber, by reason both of Honour and Interest. I would have all the Employments, Civil and Military, given to the Natives of the Country: Unless the Country thought fit to introduce some Strangers for better advantage and improvements.

I would have them restored to their Estates both Spiritual and Temporal, usurped by the *Cromwellians*, or, under the Title of being Protestants; yet with that Proviso for the Spiritual, that a Competent Pension should be allowed to the Protestant Possessor during his Life: For he can pretend no longer Lease of it; or that he should give the Catholick Bishop or Incumbent, a competent Pension, if it were thought fitter to let him enjoy his Possession during Life.

I would have the Commerce and Traffick settled, with all the Advantage due to a Free Nation and Subjects, (of which the Merchants can inform best) without any other dependance on, or relation to *England*, but what Subjects ought to the King and Crown: Of which I would not derogate in the least; but nothing to do with the Merchants and People of *England*, no more than with those of *France*, *Spain* and *Holland*.

But my Politick Trimmer will say, this is of a dangerous Consequence for *England*, and for the King, in relation to it: For they will say the King intends to  
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establish the same Government amongst them, both in Spirituals and Temporals, that he has in *Ireland*. To which I answer in the first place, That we are not here to manage or speak for the Interest of *England*, which would not fail to speak and stand for it self. Secondly, I say, That the Consequence from *Ireland's* Case to *England's* does not follow; For in *Ireland* the Catholick Party is much more numerous and stronger than the Protestant: So that it is for the King's Interest there to favour them, or at least do them Justice: But in *England*, where the number of Protestants and other Sectaries is by much the greater, he can order things otherwise, without any Contradiction: For, from the one to the other, the Consequence does not hold, for the Reasons aforesaid. Thirdly, There is no such Thing as Restitution of Temporal Estates in *England*: For they were wiser there than to lose their Estates, though they would be free to consent or advise that others may; so it is very free for the King to make any Settlement of any Spiritual or Temporal Estates there as he shall think fit, notwithstanding any Settlement he makes in *Ireland*.

Now remains, I think one Objection to solve, which may give some Obstruction to this intended Settlement, which is that of the Gown-men, or others, who made Purchases of some New Interests, *bona fide*: Must they lose their Purchases and Money? To which I answer, That although it may be replied, *Caveat emptor*, especially to the Gown-men, who knew best of all that horrid Act of Settlement, or so called, was most unjust, and could by no true Law hold; yet because they are Persons useful for the Common-wealth, and acted *bona fide* (seeing the Estate out of the Ancient Proprietor's Hands by so many Publick Acts, as it was not like ever to come to him again) there ought an Expedient to be found for the like, that they be not losers: And that either they or the Ancient Proprietors may be recompensed one way or other, rather than it should be an Obstacle to the common Good. And

And so I have done with this Matter, which I leave and recommend to God and you.

This is all the Advice I can now give upon this Matter: And the Observations I make by my Conversation and Acquaintance with the People this Year past: and I am sure I am not deceived in my Opinion of them in relation to (78) *Ireland*, nor in the Reasons they will make use of to perswade you to neglect your own Interest to save theirs; and I am no less certain (27) King *James* is all inclined that way: So you are to look to your selves, and whilst the Sun shines, to make your Hay. *Nunc tempus acceptabile, Nunc dies Salutis; Dum ergo tempus habemus, operemur bonum, maxime ad domesticos fidei.* (92) The Bishop of *Malowny*, if authoriz'd, will make all this Court go in your way, by shewing them it is their Interest, of which he has laid some Foundations already.

There remains another Observation; which is, That a *Benedictin* English Monk called *Price*, is gone thither with the King, who pretends to play, that we call here *Premier Aumosnier*, in *England* they call it Clerk of the Closet to the King, which Father *Peters* had there: And here it is always a Bishop. Now the Bishop of *Orleans*, whose Office is to assist the King at Mass, and all other Ecclesiastical Functions as Chief, when the Lord High Almoner is not present, gives the Orders and spiritual Directions, *cum privilegio exceptionis*, in the King's Palace, and Liberties of it: Why should we in our Country have any in that Place but one of our selves? Let them take place in *England*; and so why would not you have this Place for your self there, or get it for (*M.B.*) the Bishop of *Malowny*, and exercise the Functions in his Absence, rather than a Stranger should have it before our face, and laugh at us?

Now to other business: You are to know, your business in *Rome* is concluded upon, and past all Difficulties; only remains the Expedition of the Bulls, which you may ever move as you please: The Expences whereof, by



by Dr. *Sleyn*'s great Care and Sollicitation, with the help of Cardinal *Howard*, and means of Monsieur *Casone*, Favourite to his Holiness, are reduced to an Hundred Roman Crowns; though it cost Dr. *Fuller* for worse 170. notwithstanding all the Favours and Sollicitations, which were many, he could employ. Dr. *Sleyn*, this Signior *Confin* should be thanked by a Civil Letter, to which I wrote one, of which I here send you a Draught; you can make your's in their own Language: But for Dr. *Sleyn*, he is the best and truest Friend that can be, and gives your Lordship his hearty Thanks for your obliging Lines to Cardinal *Norfolk* about him; I beseech you get his Excellency to procure a Letter from his Majesty to His Holiness in his behalf, to be made Bishop of *Waterford* and *Lismore* always united, *cum Administratione Ardfertenum & Acadoenum semper etiam unitarum, quia exiguarum*. The King has had several Commemorations of him, and told me he should be the very first he would Name. He is wanting in the Province, there being but Two in *M. B.*'s Absence: I pray you earnestly to get it done; you may tell the King it is he who has been much recommended to his Majesty by My Lord *Castlemaine*, Cardinal *Howard*, and several others; and send me the Letter if you get it, or any other of your own to Mr. *Arthur*, now Sir *Ja.* for *John Lane*, who is ever Yours.

There are two very ambitious and pressing Persons for Bishopricks: And, I believe, importuning the King much upon that, both of this Place; One *Darcy* in *Conaught*, and one *Pierce* in *Munster*; I pray if you find any such thing, give it a stop for a while, *donec maturefcant, pondum enim sunt maturi ad messem, praesertim cum alii longe maturiores in utraque Provincia expectent. Hac tibi soli.*

Superscribed,

For the Right Reverend Father in God,  
Patrick Tyrrel Lord Bp. of Clougher,

These in Dublin.

(N. 18.)

N. 18. *Presentment of the Grand Jury of Tipperary  
against Protestants.*

*Com. Tipperary. Special. Sess. Pac. apud Cashell,  
2 Septemb. 1689.*

*Memorand.* That the Grand Jury Empannelled and Sworn at the said Session, have, among other things, made a Presentment in *has verba*.

WE find and present the several ensuing Persons for flocking into the City of *Cashell* there to dwell, having thereby an opportunity to Cabal and Conspire against the Government, being Persons strongly suspected to be inclinable that way; *John Shaw* of *Tipperary* and his Usher *Loughton*, *William Hobbs*, *John Bushel*, *John Max* and his three Sons, being each of Man's Stature, *John Armer*, *Josias Armer*, *Edward Hart*, *Henry Newcomb*, *Hugh Storman* and his two Sons, being each of Man's Stature, *Edward Moore*, *John White*, *Richard Chadwick*, and several others daily flocking in and dealing for Dwelling-Houses in *Cashell*, whose Names are not yet known; Presented by *John Sall* Deputy Mayor of *Cashell*: Whereupon this Court Ordered that a *Capias* should issue out against the said Persons.

Ex. P.

*Copia vera.*

*Mich. Kearny.*

Cl. Pac: \*

N. 19 *A List*

N. 19. *A List of all the Men of Note that came with King James out of France, or that followed him after; so far as could be Collected.*

**T**He Duke of *Berwick*.  
 Mr. *Fitz-James* Grand  
 Prior.  
 Duke *Powis*.  
 Count d' *Avaux*, Ambassa-  
 dor from *France*.  
 Earl of *Dover*.  
 Lord *Henry Howard*.  
 Lord *Thomas Howard*.  
 Lord *Drummond*.  
 Marquess D' *Estrades*.  
 Earl *Melfort*.  
 Lord *Seaforth*.  
 Bishop of *Chester*, who died  
 here, and is buried in  
*Christ-Church*.  
 -- *Gourdon* Bishop of *Gal-*  
*way*.  
 -- *Hamilton* Dean of *Glas-*  
*gow*.  
 Sir *Edward Herbert*.  
 Sir *John Sparrow*.  
 Colonel *Porter*.  
 Mr. *Pedle*.  
 Monsieur *Pontee*, Enginier.  
 Captain *Stafford*.  
 Captain *Trevanyon* Sea Cap.  
 Sir *Roger Strickland*, ditto.  
 Captain *Arundel*, ditto.  
 Colonel *Sarsfield*.  
 Col. *Anthony Hamilton*.  
 Col. *John Hamilton*.

Col. *Symon Lutterel*.  
 Col. *Henry Lutterel*.  
 Col. *Ramsay*, killed at *Derry*.  
 Lord *Abercorne*.  
 Col. *Dorrington*.  
 Major *Thomas Arthur*  
 Lord *Dungan*.  
 Capt. *Mac Donnel*, Sea Capt.  
 Sir *William Jennings*.  
 Col. *Sotherland*.  
 Sir *Hen. Bond*, Receiver Gen.  
 Mr. *Collins*, Com. of the  
*Revenue*.  
 Col. *Clifford*.  
 Col. *Parker*.  
 Marshal de *Rosene*.  
 Lieutenant General *Mam-*  
*ve*, killed at *Derry*.  
 Lieu. General *Pusignan*, kil-  
 led there also.  
 Major General *Leary*.  
 Lord *Trendraugh*.  
 Lord *Buchan*.  
 Major *John Gourdon*.  
 Lieut. Col. *John Skelton*.  
 Major *John Ennis*.  
 Major *William Douglas*.  
 Lieut. Col. *Hungate*.  
 Major *William Connock*.  
 Sir *Charles Carney*.  
 Lieut. Col. *Alex. Mackenzy*.  
 Major *James Fountaine*.

Major

Major Teig Regan.  
 Lieut. Col. Edward Scott.  
 Major Robert Frayne.  
 Major Simon O Hogherne.  
 Lieut. Col. Bynns.  
 Col. James Purcel.  
 Lieut. Col. George Traps.  
 Major Robert Ingram.  
 Major Edmond Pendergast.  
 Major John Gifford.  
 Lord Hunsdon, Col.  
 Lieut. Col. Francis Leonard.  
 Col. Alexander Cannon, went  
 for Scotland.  
 Major Edmond Bourk.  
 Major James Demsy.  
 Major Frederick Cunningham.  
 Col. Robert Fielding.  
 Major Richard Hillersden.  
 Major Boepry.  
 Monsieur Boislean, made  
 Governour of Cork,  
 His Brother St. Martin,  
 Commissary of the Ar-  
 tillery, killed at Cromp-  
 Castle.  
 Sir Edward Vaudrey.  
 Sir Charles Murray.  
 Sir Robert Parker.

## Chaplains, viz.

**F**ather Nich. Dunbar.  
 Father Dan. Mac Ayliffe  
 Anthony Mac Gwyre.  
 Nicholas Trapps.  
 John Madden.  
 Austin Mathews.

Lawrence Moore.  
 Father Edmond Reyley.  
 John de Gravell.  
 John Hologhan.  
 Father Richard Peirce.  
 Patr. Aghy.  
 Darby Daley.  
 Thady Croley.  
 Daniel Mac Carthy.

## Chirurgeons, viz.

**J**ohn Brunton.  
 Thady Regan.  
 Jo. Baptista Monlebeck.  
 Charles Stapleton.  
 John James Aremore.  
 John Cassel.  
 Edmond Tully.  
 Nicholas Reynard.

## Captains.

**W**illiam Charters.  
 William Oliphant.  
 Robert Charters.  
 Peter Blare.  
 Thomas Brown.  
 Francis Creighton.  
 James Buchan.  
 Alexander Gourdon.  
 George Lattin.  
 Sir Alphonso Moiclo.  
 John Baptista du Moll.  
 John Mollins.  
 John Wynnell.  
 John Fortescue.  
 Robert London.

George

George Roberts.  
 Thomas Scott.  
 James Fitz Symons.  
 William Gibbons.  
 William Delarval.  
 Mau. Flynn.  
 Richard Scott.  
 Connor O Togbil.  
 Anthony Ryan.  
 Rupert Napier.  
 Terence O Brian.  
 Edmund Kendelan.  
 Henry Crofton.  
 Richard Anthony.  
 Edmund Nugent.  
 John Plunkett.  
 John Dungan.  
 Rowland Smyth.  
 Gowen Talbot.  
 Simon Barnwel.  
 John Broder.  
 John Carvenagh.  
 Edmund Stack.  
 Walter Hastings.  
 Edward Widdrington.  
 Samuel Arnold.  
 Robert Welsh.  
 David Rock.  
 Charles Booth.  
 —Fornoe.  
 Robert Fielding.  
 Francis Gyles.  
 John Barnardy.  
 Anthony Power.  
 John Chapel.

Rowland Watson.  
 Thomas Arundel.  
 Robert Hacket.  
 Sir William Wallis.  
 Richard Burton.  
 Cornelius Mac Mahon.  
 Talbot Lassels.  
 Richard Bucker.  
 Charles Fox.  
 Anthony Vané.  
 Strickland Tyrwhit.  
 John Manback.  
 Francis Cullange.  
 John Lumendato.  
 Fran. Lappanfe.  
 Bernardo Buskett.  
 Jos. Pammet.  
 Captain Millio.  
 George Coney.  
 Chevalier Devalotry.  
 Sir Samuel Foxon.  
 John Power.  
 John Banner.  
 Henry Nugent.  
 William Mackentosh.  
 Charles O Daniel.  
 Arthur Dillon.  
 Lord Brittas.  
 Allen Bellingham.  
 John Brown.  
 Thomas Carleton.  
 Robert Nugent.  
 Captain Pagez.  
 Captain Durafs.  
 Nicholas Kemish.

(N.20) *A Catalogue of the Lords Spiritual and Temporal of the Kingdom of Ireland, at the Sitting of the late pretended Parliament, including those Created by the late King James after the Abdication, according to their respective Precedencies.*

*In which those that were formerly Attainted, and those that Sate, are distinguisht.*

Note, All that were Attainted had Outlawries reversed.

**S**IR Alex. Fittan, Kt.  
Lord Chancellor,  
—Sate.

Dr. Michael Boyle, Lord  
Archbishop of Ardmagh,  
and Primate of all Ire-  
land.

Dr. Francis Marlb, Archbi-  
shop of Dublin.

Vacant . . . . Archbishop  
of Cashell.

Dr. John Vesey, Archbishop  
of Tuam.

Richard Earl of Cork, Lord  
Treasurer.

Dukes.

Prot. James Butler, Duke  
of Ormond.

pap. Richard Talbot, Duke  
of Tyrconnel.

Earls.

Prot. Fitz-Gerald, Earl of  
Kildare.

prot. O Bryen, Earl of Tho-  
mond.

pap. Burk, Earl of Clanric-  
kard.

pap. Touchet, Earl of Castle-  
haven.

pro. Boyle, Earl of Cork.

pap. Mac Donnel, Earl of  
Antrim. —Sate.

pap. Nugent, Earl of West-  
meath. Sate, under  
Age, the right Earl  
a Clergy-man.

pro. Ridgway, Earl of Lon-  
donderry.

pro. Fielding, Earl of Des-  
mond.

pro. Brabazon, Earl of  
Meath.

Dillon,

pro. *Barry*, Earl of *Barrymore*. Sate.

pro. *Vaughan*, Earl of *Carbury*.

pap. *Plunket*, Earl of *Fin-gal*. Attainted (a Minor.)

pro. *Cbicbester*, Earl of *Don-negal*.

pro. *Lambert*, Earl of *Carvan*.

pro. *O'Brien*, Earl of *Inchi-quin*.

pap. *Mac Carty*, Earl of *Clancarty*. Sate (under Age attainted, as *Ld. Masberry*, but restored by a Clause in the Act.)

pro. *Boyl*, Earl of *Orrery*.

pro. *Coote*, Earl of *Mon-trath*.

pro. *Moore*, Earl of *Drogheda*.

pro. *Talbot*, Earl of *Waterford* and *Wexford*.

pro. *Mountgomery*, Earl of *Mount-Alexander*.

pap. *Palmer*, Earl of *Castlemain*.

pap. *Taaf*, Earl of *Carlingford*.

pap. *Power*, Earl of *Tyrone*. Sate, a Convert.

pro. *Jones*, Earl of *Ranelagh*.

pro. *Angier*, Earl of *Longford*. Sate.

pro. *Forbes*, Earl of *Graham*. Sate.

pap. *Dungan*, Earl of *Lymerick*. Sate.

pro. *Coote*, E. of *Bellamont*.

Viscounts.

Pap. *Preston*, Viscount *Gormanstown*. Attainted.

pap. *Roch*, Viscount *Fermoy*. Attainted.

pap. *Butler*, Visc. *Mount-Garret*. Sate, Attainted.

pro. *Villiers*, Viscount *Grandison*.

pro. *Annesly*, Viscount *Valentia*.

pap. *Dillon*, Viscount *Castell-logallen*. Sate.

pap. *Netterville*, Viscount *Dowth*. Attainted.

pro. *Loftus*, Viscount, *Ely*.

pro. *Beaumont*, Visc. *Swords*.

pap. *Magennis*, Viscount *Iweagh*. Sate. Attainted.

pro. *Needham*, Visc. *Kilmurry*.

pap. *Sarsfield*, Viscount *Kilmallock*. Sate.

pap. *Burk*, Viscount *Mayo*.

pro. *Sanderson*, Visc. *Castletown*.

pro. *Chaworth*, Viscount *Ardmagh*.

pro. *Dillon*, Earl of *Roscommon*.



- pro. Scudamore, Viscount Sligoe.
- pro. Lumley, Visc. Waterford.
- pro. Smith, Visc. Strangford.
- pro. Wenman, Visc. Tuam.
- pap. Molyneux, Visc. Maryborough.
- pap. Fairfax, Viscount Emmeley.
- pap. Butler, Viscount Ikerin. Attainted, (a Minor)
- pap. Fitz Williams, Viscount Merryon.
- pap. O Dempsey, Viscount Glanmaleira. Sate.
- pro. Cokain, Visc. Cullen.
- pro. Tracy, Viscount Rathcool.
- pap. Smith, Viscount Carrington of Barrefore.
- pro. Bulkley, Visc. Cashell.
- pap. Butler, Viscount Galmoyle. Attainted.
- pap. Barnwal, Visc. Kingsland.
- pro. Boyle, Viscount Shannon.
- pro. Skeffington, Viscount Massareene.
- pro. Cholmondy, Viscount Kells.
- pro. Fanshawe, Viscount Dromore.
- pap. O Bryan, Visc. Clare.
- pro. Trevor, Viscount Dunganon.
- pro. Boyle, Viscount Dungarvan.
- pro. Berkley, Viscount Fitz-Harding of Beer-haven.
- pro. Caulfield, Visc. Charlemont.
- pro. Wingfield, Visc. Powercourt.
- pro. Boyle, Viscount Blessington.
- pro. Lane, Viscount Laneshorough.
- pro. Dawny, Visc. Down.
- pro. Parsons, Viscount Ross. Sate.
- pro. Steward, Visc. Mountjoy.
- pro. Loftus, Visc. Lisburn.
- pap. Burk, Viscount Galway. Sate.
- pap. Macarty, Visc. Mountcashel. Sate, new Created.
- pap. Cheevers, Visc. Mount-Linster, new Created.
- pap. Brown, Visc. Kenmare. Sate, new Created.

## Bishops.

- A** Nibony Dopping, Bishop of Meath. Sate.
- William Moreton, Bishop of Kildare.
- Hugh Gore, Bishop of Waterford and Lismore.
- Vacant . . Bishop of Clonfert.

Vacant

- Vacant . . Bishop of Clogher. pro. *St. Laurence*, Baron of  
*Thomas Otway*, Bishop of *Howth*. Sate.  
*Offery and Kilkenny*. Sate. pap. *Barnwal*, Baron of  
*Ezekiel Hopkins*, Bishop of *Trimlestown*. Sate;  
*Derry*. Attainted.  
*Thomas Hacket*, Bishop of pap. *Plunket*, Baron of *Dun-*  
*Down and Conner*. *fany*. Sate, Attainted.  
*John Roan*, Bishop of Kil- pap. *Butler*, Baron of *Dun-*  
*laloo*. *boyn*. Sate, Attainted.  
*Edward Wettenbal*, Bishop of pap. *Fitz-Patrick*, Baron of  
*Cork and Ros*. Sate. *Upper Offery*. Sate.  
*Simon Digby*, Bishop of Ly- pap. *Plunket*, Baron of  
*merick and Ardfert*. Sate. *Lowth*. Attainted.  
*Richard Tennison*, Bishop of pap. *Burk*, Baron of *Castle-*  
*Killala and Archonry*. *connel*. Sate, Attainted.  
*William Smith*, Bishop of pap. *Butler*, Baron of *Cahir*.  
*Rapboe*. Sate, Attainted.  
*William Sheridan*, Bishop of pap. *Burk*, Baron of *Brit-*  
*Kilmore and Ardagh*. *tas*. Sate, Attainted.  
*Narcissus Marsh*, Bishop of pro. *Foliot*, Baron of *Bally-*  
*Fernes and Laughlin*. *shannon*.  
*Edward Jones*, Bp. of Cloyne. pro. *Maynard*, Baron of  
*Capel Wiseman*, Bishop of *Wicklow*.  
*Dromore*. pro. *Gorge*, Baron of *Dun-*  
*Vacant . . Bishop of El-* *dalk*.  
*phin*. pro. *Digby*, Baron of *Gaise-*  
*A* *hil*.  
Barons. pro. *Fitz-Williams*, Baron  
of *Lifford*.  
Pap. **B** *Ermingham*, Baron pro. *Blaney*, Baron of *Ms-*  
of *Atbenry*. Sate, *noghan*.  
Attainted. pap. *Malone*, Baron of  
*Courcey*, Baron of *Glenmalum* and *Cour-*  
*sale*. Sate (a Convert.) *chy*.  
pro. *Fitz-Morris*, Baron of pro. *Herbert*, Baron of  
*Kery and Lixnaw*. *Castle Island*.  
pap. *Fleming*, Bar. of *Slane*. pap. *Calvert*, Baron of *Bal-*  
Sate, Attainted. *timore*.  
B b 3 *Brereton*,



*Bur.* Carrickfergus,

*Burrough* Belfast, { *Mark Talbot*, Esq;

*Bur.* Lisbourn, { *Daniel O Neile*, Esq; 20th May 89.

*Bur.* Antrim.

*Com.* Catherlogh, { *Dudley Bagnal*, } Esquires.  
                                   { *Henry Lutterel*, }

*Bur.* Catherlogh. { *Mark Baggot*, Esq;  
                                   { *John Warren*, Esq;

*Bur.* old Laughlin, { *Darby Long*, Esq;  
                                   { *Daniel Doran*, Esq;

*Com.* Cork, { *Justin Mac Carty*, Esquire.  
                                   { *Sir Richard Nagle*, Knight.

*Town of* Youghall, { *Thomas Uniack*, } Aldermen.  
                                   { *Edward Gough*, }

*Town of* Kinfale, { *Andrew Murrogh*, Esq;  
                                   { *Miles de Courcey*, Esq;

*Bur.* Baltimore, { *Daniel O Donovan*, Esq;  
                                   { *Jeremiab O Donovan*, Esq;

*Bur.* Bandonbridge, { *Charles Mac Carty of Balloa*, Esq;  
                                   { *Daniel Mac Carty Reagh*, Esq;

*Bur. Cloghnerkilty,* { *Lieutenant Col. Owen Mac Carty.*  
*Daniel Fyn Mac Carty, Esq;*

Bur. Middletown, { Dermot Long, Esq;  
John Longan, Esq;

Bur. Moyallow, { *John Barret of Castlemore, Esq;*  
*David Nagle of Carrigoone, Esq;*

Manner and Borough } James Barry,  
of Rathcormuck, } Edward Powell, } Esquires.

*Manor of Doneraile,* { *Donell'd Donovan, Esq;*  
*John Baggot Jun. of Baggotstown, Esq;*

Bur. Charleville, { John Baggot of Baggotstown, Sen. Esq;  
                              { John Power of Kilbelone, Esq;

City of Cork,      { Sir James Cotter, Knight,  
                             { John Galway, Esquire.

Com. Cavan, { *Phil. Reyley of Agbnicrery, Esq;*  
*John Reyley of Garryrobock, Esq;*

*Phil. Oge O Reyly, Esq;*  
*Hugh Reyly of Larba, Esq;*

*Bar. Belshurber,* } *Sir Edward Tyrrel, Baronet.*  
 } . . . . *Tuit of Newcastle, Esquire.*  
*Tom.*

- Com. Clare,** { *David O Brian, Esq;*  
                               *John Mac Nemara of Crattelagh, Esq;*
- Bur. Ennis,** { *Florence Mac Carty of Dromad, Esq;*  
                               *Theob. Butler of Snathnogalloon, Esq;*  
                               10 May, 1689.
- Com. Down.** { *Murtagh Magennis of Greencastle, Esq;*  
                               *Ever Magennis of Castlewelan, Esq;*
- Bur. Hilsburrow,** { *Rowland White, Esq;*
- Bur. Newry,** { *Rowland Savage, Esq;*
- Bur. Bangor.** { *Bern. Magennis of Balligorionbeg, Esq;*
- Bur. Keleleagh,** { *Tool O Neile of Dromankelly, Gent.*
- Bur. Down.**
- New-Town.**
- Com. Dublin,** { *Symon Lutterel of Lutterelstown, Esq;*  
                               *Patr. Sarsfield Jun. of Lucan, Esq;*
- Bur. Swords,** { *Fra. Barnwel of Woodpark Co. Meath, Esq;*  
                               *Robert Russel of Drynham, Esq;*
- Bur. Newcastle,** { *Tho. Arthur of Colganstown, Esq;*  
                               *John Talbot of Belgard, Esq;*
- City of Dublin,** { *Sir Michael Creagh, Knight.*  
                               *Terence Dermot, Sen. Alderman.*

Colledge of Dublin, { Sir John Mead, Knight.  
Joseph Cogblan, Esquire.

Town of Drogheda, { Henry Dowdal Esq; Recorder.  
Alderm. Christop. Peppard Fitz-George

Com. Donnegall.  
Lifford,  
Ballyshannon.  
Killebeggs.  
Donnegal.

St. John's Town, { Sir William Ellis, Knight.  
Lieutenant Col. James Nugent.

Com. Galway, { Sir Ulick Bourke, }  
Sir Walter Blake, } Baronets.

Bur. Athenree, { James Talbot of Mount Talbot, Esq;  
Charles Daly of Dunsandale, Esq;

Bur. Tuam, { James Lally of Tullendaly, Esq;  
William Burk of Carrowfrila, Esq;

Town of Galway, { Oliver Martin, }  
John Kirwan, } Esquires.

Com. Kilkenny, { John Grace of Courts-town, Esq;  
Robert Welsh of Cloonesly, Esq;



- Bur.* Callain, { *Walter Butler*, Esq;  
                              { *Thady Meagher*, Esq;
- Bur.* Thomas-town, { *Robert Grace Senior*, } Esquires.  
                              { *Robert Grace Junior*, }
- Bur.* Gowran, { *Richard Butler*, Esq;  
                              { *Walter Keily*, Dr. of Physick.
- Col. *Robert Fielding*, by a new Election.
- Bur.* Inishoge, { *Edward Fitz-Gerald*, Esq;  
                              { *James Bolger*, Esq;
- Bur.* Knocktopher, { *Harvy Morris*, Esq;  
                              { *Henry Meagh*, Esq;
- City of Kilkenny*, { *John Rootb*, Esq; Mayor.  
                              { *James Bryan*, Alderman, 4 May 89.
- Bur.* Kells, { *Patrick Everard*, Esq;  
                              { *John Delamare*, Esq;
- Bur.* St. Canice,  
*Com.* Kildare, { *John Wogan*, Esq;  
                              { *George Aylmer*, Esq;
- Bur.* Naas, - { *Walter Lord Dungan*  
                              { *Charles White*, Esq;

- Burrough* Athy, { *William Fitz-Gerald*, Esq;  
                               { *William Archbold*, Esq;
- Bur.* Harristown, { *James Nigbel*, Esq;  
                               { *Edmund Fitz-Gerald*, Esq;
- Bur.* Kildare, { *Francis Leigh*, Esq;  
                               { *Robert Porter*, Esq;
- Kings County*, { *Heward Oxbourgh*, Esq;  
                               { *Owen Kerral*, Esq;
- Bur.* Philips-town, { *John Conner*,                 } Esquires.  
                               { *Heward Oxburgh*                 }
- Bur.* Banagher, { *Terence Cogblan*, Esq;  
                               { *Terence Cogblan*, Esq;
- Bur.* Birr, { *Nicholas Brown*, Esq;  
                               { *Sir Thomas Crosby*, Knight.
- Com.* Kerry, { *Morris Hussey* of Kerries, Esq;  
                               { *John Brown* of Ardagh, Esq;
- Bur.* Tralee. { *Edw. Rice Fitz James* of Ballinleggin,  
                               { *Com. Lym*, Esq;  
                               { *John Hussey* of Cubullin, Esq.

Bur. Ardfart. { Col. Roger Mac Elligott, Esq;  
 { Cornelius Mac Gillicuddy, Esq;

Com. Longford. { Roger Farrell, Esq;  
 { Robert Farrell, Esq;

Bur. Lanesborough. { Oliver Fitzgerald, Esq;  
 { Roger Farrell, Esq;

Town of Longford.

Com. Lowth. { Thomas Bellew, Esq;  
 { William Talbot, Esq;

Bur. Atherdee. { Hugh Gernon, Esq;  
 { John Babe, Esq;

Bur. Dundalk. { Robert Dermott, Esq;  
 { John Dowdall, Esq;

Bur. Carlingford. { Christoph. Peppard Fitz Ignatius, Esq;  
 { Bryan Dermot, Esq;

Dunliver.

Com. Lymerick. { Sir John Fitzgerald, Baronet.  
 { Gerald Fitzgerald, Esq; commonly  
 called Knight of the Glynn.

Bur. Kilmallock. { Sir William Harley, Baronet.  
 { John Lacy, Esquire,

Bur.

Bur. Askeaton.

{ John Bourk of Carickinobil, Esq;  
 { Edward Rice, Esq;

City of Lymerick.

{ Nicholas Arthur, Alderman.  
 { Thomas Harrold, Alderman.

Com. Leitrim.

{ Edmond Reynolds, Esq;  
 { Iriel Farrell, Esq;

Bur. James-Town.

{ Alexander Mac Donnel, Esq;  
 { William Shanley, 15th May, 1689.

Carrickdrumrusk.

Com. Mayo.

{ Garret Moor, Esq;  
 { Walter Bourk, Esq;

Castlebar.

{ John Bermingham Portreeve.  
 { Thomas Bourk, Esq;

Com. Meath.

{ Sir William Talbot, Baronet.  
 { Sir Patr. Barmwell, Baronet.

Bur. Ratoath.

{ John Hussey, Esq;  
 { James Fitz Gerald, Esq;

Bur. Trim.

{ Captain Nicholas Cusack, Esq;  
 { Walter Nangle, Esq;

Bur.

*Bur.* of Navan.

{ *Christoph. Cusack* of Corballis, Esq;  
{ *Christ. Cusack* of Ratholdran, Esq;

*Bur.* Athboy.

{ *John Trinder*, Esq;  
{ *Robert Longfield*, Esq;

Duleek.

Kells.

*Com.* Monaghan.

{ *Bryan Mac Mahon*, Esq;  
{ *Hugh Mac Mahon*, Esq; 9th July 1689

*Town* of Monaghan.

*Com.* Fermanagh.

Enniskillen.

Queens County.

{ *Sir Patrick Trant*, Knight;  
{ *Edmond Morris*, Esq;

*Bur.* Maryborough.

{ *Peirce Bryan*, Esq;  
{ *Thady Fitz Patrick*, Esq;

*Bur.* Ballinkill.

{ *Sir Gregory Byrne*, Baronet.  
{ *Oliver Grace*, Esq;

Port Arlington.

{ *Sir Henry Bond*, Baronet.  
{ *Sir Thomas Hacket*, Knight.

*Com.* Roscommon.

{ *Charles Kelly*, Esq;  
{ *John Bourk*, Esq;

*Bur.*

*Bur. Roscommon.* } *John Dillon, Esq;*  
                               } *John Kelly, Esq;*

*Bur. Boyle.* } *John King, Captain.*  
                               } *Terence Mac Dermot, Alder. 6th May* (1689.

*Tulsk.*

*Com. Sligoe.* } *Henry Crofton, Esq;*  
                               } *Oliver O Gara, Esq;*

*Bur. Sligoe.* } *Terence Mac Donogh, Esq;*  
                               } *James French, Esq; 8th May 1689.*

*Com. Tipperary.* } *Nicholas Purcel of Loghmore, Esq;*  
                               } *James Butler of Grangebeg, Esq;*

*City of Cashell.* } *Dennis Kearney, Alderman.*  
                               } *James Hacket, Alderman.*

*Bur. Clonmell.* } *Nicholas White, Alderman.*  
                               } *John Bray, Alderman.*

*Bur. Fethard.* } *Sir John Everard, Baronet.*  
                               } *James Tobin of Fethard, Esq;*

*Bur. Thurles.*

*Bur. Tipperary.* } *Col. Gordon O Neile, Esq;*

*Com. Tyrone.* } *Lewis Doe of Dungannon, Esq;*

*Bur.*

*Bur. Dungannon.* { *Arthur O Neil of Ballygawly, Esq;*  
*Patr. Donelly Dungannon, Esq;*

*Bur. Strabane.* { *Christopher Nugent of Dublin, Esq;*  
*(8th May 1689.*  
*Dan. O Donelly of the same, Gent.*

*Clogher.*  
*Augher.*

*Com. Waterford.* { *John Power, Esq;*  
*Matb. Hore,*

*Bur. Dungarvan.* { *John Hore, Esq;*  
*Martin Hore, Esq; 7th May 1689.*

*City of Waterford.* { *John Porter, Esq;*  
*Nicholas Fitzgerald, Esq;*

*Bur. Lismore.*  
*Tallow.*

*Com. Wexford.* { *Walter Butler of Munfinc.*  
*Patrick Colclogh of Moulirry.*

*Bur. Wexford.* { *William Talbot, Esq;*  
*Francis Rooth, Merchant.*

*Bur. New Ross.* { *Luke Dormer, Esq;*  
*Richard Butler, Esq;*

*Bur. Bannow.* { *Francis Plowden, Esq; Commis. of*  
*(the Revenue.*  
*Dr. Alexias Stafford, Esq;*



*Bur. Newborough.* { *Abraham Strange of Tobberduff, Esq;*

{ *Richard Daley of Kilcorky, Gent.*

*Bur. Eniscorthy.* { *James Devereux of Carrigmenan, Esq;*  
 { *Dudley Colclough of Mongbery, Esq;*  
 { *Arthur Waddington, Esq; by a new*  
 (Election.

*Bur. Taghmon.* { *George Hore of Polbore, Esq;*  
 { *Walter Hore of Harpers-town, Esq;*

*Bur. Cloghmyne.* { *Edward Sherlock of Dublin, Esq;*  
 { *Nicholas White of New-Rosse, Merc.*

*Bur. Arklow.* { *Col. James Porter.*  
 { *Capt. Nicholas Stafford.*

*Com. Wicklow.* { *Richard Butler, Esq;*  
 { *William Talbot, Esq;*

*Bur. Caryesfort.* { *Hugh Bryne, Esq;*  
 { *Peirce Archbold, Esq; Upon whose*  
 { *default of Appearance*  
 { *Barth. Polewheele.*

*Bur. Wicklow.* { *Francis Toole, Esq;*  
 { *Thomas Byrne,*

*Bur. Blesington.* { *James Eustace, Esq;*  
 { *Maurice Eustace, Gent.*  
*Baltinglafs.*

*Com.*

**Com.** Westmeath. } The Honourable Col. *Will. Nugent.*  
 } The Honourable Col. *Henry Dillon.*

**Bur. and Mannor of** Mullingar. } *Garret Dillon, Esq; Prime Sergeant.*  
 } *Edmond Nugent of Garlins-town, Esq;*

**Burrough** Athlone. } *Edmond Malone of Ballynebowen, Esq;*  
 } *(Law. Edmond Malone, Esq; Counsellor at*

**Bur.** Kilbeggan. } *Bryan Geoghegan of Donore, Esq;*  
 } *Charles Geoghegan of Syenan, Esq;*

**Bur.** Fore. } *John Nugent of Donore, Esq;*  
 } *Christ. Nugent of Dardis-town, Esq;*

**Com.** Londonderry.

**City** Londonderry.

**Bur.** Colerane.

**Bur.** Lamavudy.

(N.22) *An Address to King James in behalf of the Purchasers under the Act of Settlement by Judge Keating.*

**T**His humble Representation made unto your Sacred Majesty is in the Behalf of many Thousands of your Majesties dutiful and obedient Subjects of all Degrees, Sexes and Ages. The Design and Intention

of it, is to prevent the Ruin and Desolation, which a Bill now under Consideration, in order to be made a Law, will bring upon them and their Families, in case your Majesty doth not interpose; and by your Moderation and Justice protect them so far as the known Laws of the Kingdom, and Equity and good Conscience will warrant and require.

It is in the behalf of Purchasers, who for great and valuable Considerations, have acquired Lands and Tenements in this Kingdom; by laying out not only their Portions and Provisions made for them by their Parents, but also the whole Product of all their own Industry, and the Labour of their Youth; together with what could be saved by a frugal Management, in order to make some certain Provision for Old Age and their Families, in Purchasing Lands and Tenements under the Security of divers Acts of Parliament, Publick Declarations from the late King: And all these accompanied with a Possession of Twenty Five Years.

Divine Providence hath appointed us our Dwelling in an Island; and consequently, we must Trade or live in Penury, and at the Mercy of our Neighbours. This necessitates a Transmutation of Possessions, by Purchase from one hand to another, of Mortgaging and Pledging Lands for great and considerable Sums of Money, by charging them with Judgments; and indeed, gives Name to one of the greatest Securities made use of in this Kingdom, Statutes Merchant, and of the Staple; and very many, especially Widows and Orphans, have their whole Estates and Portions secured by Mortgages, Bond of the Staple and Judgments.

Where or when shall a Man Purchase in this Kingdom; Under what Title or on what Security shall he lay out his Money, or secure the Portions he designs of his Children; If he may not do it under the Security of divers Acts of Parliament, the solemn and reiterated Declarations of his Prince, and a quiet and uncontroverted Possession of Twenty Years together? And this

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is the Case of thousands of Families who are Purchasers under the Acts of Settlement and Explanation.

It were a hard task to justify those Acts in every Particular contained in them; I will not undertake it; but if it be consider'd, that from 23. *October* 1641. until 29. *May* 1660. the time of his Majesties Restoration, the Kingdom was upon the matter in one continued Storm; The alterations of Possessions were so universal, and Properties so blended and mixed by Allotments and Dispositions made by the then Usurping Powers; It may be well concluded, that they must be somewhat more than Men, that could or can frame a Law to take in every particular Case, tho' it should have swoln to many Volumes: And Laws, which are to be of such universal Consequence as this was, are to have a Regard to the Generality of a Kingdom or People, tho' possibly some particular Person may have some hardship in his private Concern.

But if we may judge of general Laws, by the produce and effect of them, and at the same time have a Prospect of the Estate and Condition of this Kingdom from 1640. and as far backwards as you please, until the time of his late Majesties happy Restauration; and at the same time take into Consideration what the Kingdom became in few years after the Commissions for the Execution of those Acts were at an end; the Buildings, and other Improvements; the Trade and Commerce; the vast Herds of Cattel and Flocks of Sheep, equal to those of *England*; together with great Sums of Money brought over by our Fellow-Subjects of *England*, who came to Purchase and Plant in this Kingdom: The Manufactures set on foot in divers parts; whereby the meanest Inhabitants were at once Enriched and Civiliz'd, it would hardly be believed it were the same Spot of Earth: Nay, Over-flown and Moorish Grounds were reduced to the bettering of both Soyl and Air. The Purchasers who brought the Kingdom to this flourishing Condition, fly to your Majesty for Succour, offering

not only their Estates and Fortunes, but even their Lives to any Legal Tryal within this your Majesties Kingdom, being ready to submit their Persons and Estates to any established Judicature; where, if it shall be found, that they enjoy any thing without Legal Title, or do any thing that may forfeit what they have Purchased, they will sit down, and most willingly acquiesce in the Judgment: But to have their Purchases made void; their Lands and Improvements taken from them; their Securities and Assurances for Money Lent, declared Null and Void by a Law made *ex post facto*, is what was never practised in any Kingdom or Country.

If the Bill now design'd to be made a Law, had been attempted within two, three, four or five years after the Court for the execution of these Acts was ended, the Purchasers would not have laid out their Estates in acquiring of Lands, or in Building or Improving on them: Thousands who had sold small Estates and Freeholds in *England*, and brought the Price of them to Purchase or Plant here, would have stayed at home: And your Majesties Revenue, with that of the Nobility and Gentry, had never come to the Height it did: If your Majesty please to consider upon what Grounds and Assurances the Purchasers of Lands and Tenements in this Kingdom proceed, you will soon conclude, that never any proceeded upon securer Grounds: The Acts of *xviij.* and *xviij.* of King *Charles* your Father of blessed Memory, take notice, that there was a Rebellion begun in this Kingdom on the *23d.* of *October* 1641: And so doth a Bill once read in the House of Lords; whoever looks into the Royal Martyrs Discourse upon that Occasion, will see with what an Abhorrence he laments it: And that he had once thoughts of coming over in Person to suppress it.

Those Acts promise Satisfaction out of Forfeited Lands to such as would advance Money for reducing those Disturbers of the publick Peace, unto their Duty. The next Invitation was his late Majesties, your Royal Brothers

thers Letter from *Breda* some few weeks before his Restoration, which hapned the 29<sup>th</sup> of *May* 1660: And within six Months after, came forth his Majesties most Gracious Declaration for the Settlement of this Kingdom. This, may it please your Majesty, is the Basis and Foundation of the Settlement, and was some years after Enacted and made a Law by two several Acts of Parliament.

It is true, that the Usurping Powers in the Year 1653. (having by the Permission of the Almighty, as a just Judgment on us for our Sins, prevailed here) did dispose and set out the Estates of the Catholicks unto Adventurers and Soldiers; and in a year or two after, transplanted all Catholick Free-holders for no other Reason but their being so, into *Connaught*, where Lands were set out unto them under divers Qualifications, which they and their Heirs, or those deriving under them as Purchasers enjoy'd, and still do enjoy under the Security of the before-mentioned Acts of Parliament and Declaration.

His Majesties gracious Declaration of the 30<sup>th</sup> of *November* 1660. which I call the Foundation of the Settlement, was, before it was concluded on, under the Consideration of that great Prince, and the Lords of his Council of *England*, where all Persons concerned for the Proprietors, as well old as new, were heard; whoever reads it, will find by the many Difficulties which he and his Council met with from the different and several Pretenders, what Consideration was had, and Care taken, to reconcile the jarring Interests; and to accommodate and settle as was possible, the Mass and Body of Subjects here.

It was some years after, before the Act for the Execution of his Majesties most Gracious Declaration became a Law: It was near two years upon the Anvil: It was not a Law that past in few days, or *sub silentio*: It was first, according to the then Course of passing Laws here, framed by the Chief Governour and Council

of this Kingdom, by the Advice and with the Assistance of all the Judges, and of his Majesties Council Learned in the Law, and then transmitted into *England* to be further consider'd of by his Majesty and Lords of his Council there, where the Counsel at Law and Agents of all Pretenders to the Propriety of Lands of this Kingdom were heard, and that Act, commonly called the Act of Settlement, approved of and retransmitted under the Seal of *England* to receive the Royal Assent, which it did, after having passed both Houses of Parliament.

The Innocent Proprietors being restored pursuant to this Act, and some Difficulties appearing as to the further execution of it; Another Act passed, commonly called the Act of Explanation, which went the same Course, and under the same Scrutiny.

It is confessed, that though they are two Acts, it was by the same Parliament, who were chosen according to the ancient Course of chusing Parliaments.

But if any miscarriage were in bringing that Parliament together, or in procuring the aforesaid Acts of Parliament to pass, which we can in no wise admit; and the less, for that your Majesties Revenue was granted and settled by the same Parliament, and many good and wholsom Laws therein Enacted: Yet it is manifest, that nothing of that kind ought to affect the plain and honest Purchaser, who for great and valubale Considerations, acquired Lands under the Security aforesaid, and expended the remainder of his Means in Building, Improving, and Planting on them, and that for the following Reasons.

First, The Purchaser advising with his Counsel, how to lay out or secure his Mony, that it may not lie dead, not only to his, but the publick detriment, tells him that he is offered a Purchase of Lands in Fee, or desired by his Neighbours to accommodate him with Mony upon the Security of Mortgage or Statute Staple; and upon the enquiry into the Title, he finds a good and secure Estate,



Estate, as firm in Law, as two several Acts of Parliament of force in this Kingdom can make it ; and in many Cases, Letters Patents upon a Commission of Grace for remedying of defective Titles; he finds Possession hath for many years gon along with this Title several Descents past, and possibly that the Lands have been purchased and passed through the hands of divers Purchasers : He resorts to the Records, where he meets with Fines and Common Recoveries, the great Assurance known to the Laws of *England*: Under which (by the Blessing of God) we live ; and tells him there is no scruple, nor difficulty of Purchasing under this Title ; since he hath Security under two Acts of Parliament, Certificates and Letters Patents, Fines and Recoveries ; and that no Law of force in this Kingdom can stir, much less shake this Title.

How is it possible to imagin, that the Legislative Power should be made use of to void this Mans Estate, who perhaps was never in this Kingdom, until after these Acts were Enacted and became Laws? It will be the like Case with all Persons, who upon the Marriage of their Children, and considerable Marriage Portions, paid and received, have procured Settlements for Joyntures, Portions, and Remainders for their Children and Grand-Children: And all these are to be laid aside, without any Consideration of Law and Equity in the Case of the Purchasers, or any misdemeanor or offence committed by them : Whereby vast Numbers of your Majesties dutiful Subjects, the present Proprietors and their Lessees ; and in very many Cases, Widows, Orphans, Merchants and Traders, will be at one stroke outed and removed from the Possessions of their Lands and Improvements, which in many places are more in value than the Township whereon they are made : This, with Submission, without some fraud, deceit, or default of the Purchaser, never was, and it is hoped never will be done by a People or Nation professing Christianity: Nor is it for the Honour, Welfare, or advantage of the King or Kingdom

dom to have it so done ; What will Strangers and our fellow Subjects of *England* and *Scotland* say ? — We sold our Estates in *England* ; Transported us and our Families into *Ireland*, to purchase, improve and plant there : We acquired Lands under as secure Titles as Acts of Parliament, (the greatest known Security) could make them. Our Conveyances both by Deeds and matters of Record are allowed good, firm, and unquestionable by any Law in force at the time of the Purchase. We have had the Possession Ten, Twelve or Fifteen Years, and are grown old upon them. We have clearly drawn our Effects from *England* and settled here, not doubting but our Posterity may be so likewise. We have purchased Annuities and Rent-Charges out of Lands under the same Securities : And now the Old Proprietors (though many of them had Satisfaction in *Connaught*) would fain have a new Law to dispossess us of our Estates and Improvements made as aforesaid. It will not be believed, that the chief of those who drive on this Design, should in Parliament and elsewhere, which ought to consist of the gravest, wisest, and wealthiest Free-holders of the Kingdom, (for such the Law presumes them) make a noise with that good and wholesome Advice—*Carveat emptor* in this Case ; or can think that *Carveat* is proper here.

The Purchaser ought to be wary of any Flaw in the Title at the time of the Purchase made, and purchases at his peril, if any such there be : But who is that Purchaser that must beware of a Law to be made Twenty, Thirty, or Forty Years after his Purchase, or to destroy his Security for Money lent, or Settlement upon Marriage ? this is not a defect in the Title, but (under favour) is a Precedent which no human foresight can prevent ; and if once introduced, no Purchaser could ever be safe : The worst of Lotteries affording a securer way of dealing than *Ireland* would.

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Can it be for your Majesties Honour or Advantage to have Thousands of Families ruined by such a Proceeding as this is? What will become of our Credit, and consequently of our Trade abroad? Where will be the Reputation, and publick Faith and Security of the Kingdom, when Foreign Merchants shall know from their Correspondents here, that they cannot comply with their Engagements to them, their Estates, Houses, and Improvements both in Country and City which they had acquired for great and valuable Consideration, and within the Securities of the Laws, are taken from them by a Law made yesterday, in case this Bill should pass? So that in Effect, we are not only contriving to break and ruin our own Traders and Merchants at home, but even those in Foreign Parts, which will infallibly destroy your Majesty's Revenue, and sink that of every Subject.

Surely these Particulars, and the Consequences of them, are worth more than two or three days consideration: which is as much as this Bill could have, since the Parliament was not open'd till the Seventh of this Month.

The very Report of what is designed by this Bill, hath already from the most improved and improving Spot of Earth in *Europe*; From stately Herds and Flocks; From plenty of Money at 7 or 8 *per Cent.* whereby Trade and Industry were encouraged; and all upon the Security of those Acts of Parliament; From great and convenient Buildings newly erected in Cities and other Corporations, to that degree, that even the City of *Dublin* is since the passing of these Acts, and the security and quiet promised from them, enlarged to double what it was; And the Shipping in divers Ports were five or six times more than ever was known before, (to the vast increase of your Majesties Revenue) reduced this Kingdom to the saddest and most disconsolate Condition of any Kingdom or Country in *Europe*: Infinite numbers of the Inhabitants having Transported themselves and Families with

with what remained unfixed in Purchases and Improvements, and was portable of their Estates into other Kingdoms, that very many of the Buildings both new and old in this City, and in the very Heart and Trading Part of it, are uninhabited and waste.

It is grievous to see, as you pass through this City, the Houses and Shops shut up: The Herds and Flocks in the Country are utterly destroyed; so that of necessity the Tenant must break, throw up his Lease, leave the Key under the Door, and the Lands become waste; and from hence will necessarily follow, that the Farm-houses and Improvements must go to decay, and Beef, Tallow, Hides, Wool and Butter, (from whence arises the Wealth of the Country) will fail us.

What is become of the frequent Declarations made by the Earl of *Clarendon* and the Earl (now Duke) of *Tyrconnel*, of your Majesties fixt Resolution, never to lay aside the Acts of Settlement and Explanation? Why did the Judges in their several Circuits, declare in all places where they sate, unto the Countries there assembled, that your Majesty was resolved to preserve the Acts of Settlement and Explanation, and that they were appointed by the then Chief Governour here, to declare the same unto them? from whence they took confidence to proceed in the Purchases and Improvements; and (with Submission be it spoken) if this Bill pass, are deluded. Shall Patents on the Commis-sion of Grace signifie nothing? The Great Seal of *England* tells them they may proceed upon the Publick Faith; and here again they become Purchasers, paying considerable Fines to the King, to whom Rents were reserved where none were due before, and in many places the Rent increased; as in case of Fairs and Markets granted, together with the Lands on them, Patents of Liberties of Free Warren, and to enclose and impale for Park; surely some consideration ought to be had of those whole Mony was paid on this account.

'It would be farther considered, That your Majesty before your access to the Crown, had passed several Lands and Tenements in this Kingdom in Certificate and Patent pursuant to these Acts of Settlement; and that you made Leases of them, on which many and great Improvements have been made. It is likewise true, that your Majesty sold and exchanged some small proportions of the same Lands, and received in Money Twelve Years Purchase for some of them; some of which your Majesty conveyed by Fines and other Assurances in Law: And tho' your Majesty may, if it seem meet unto you, part with all that Estate, yet it is humbly conceived, it ought to be with reservation to the Lessees and those few Purchasers, as it was done by *Mary Queen of England*, who, tho' zealous in the highest degree to the Religion she professed, and that she restored such part of Lands belonging unto Monasteries, as remained in her Hands undisposed, did nevertheless permit the Grantees and Purchasers quietly and peaceably to retain such part of them as they were possessed of by Grant or Purchase, and which (for ought appearing) is enjoyed by them, and those deriving under them, to this day, tho' she came to the Crown within few years after Passing the Act for Dissolving Monasteries: For if no Consideration be had of them, your Majesty gives away the Term of Years and Improvements from your Lessees, and the Land from him to whom your Majesty sold it, without restoring the Purchase Money, than which no case can be harder; and without your Royal Assent neither of these can be done.

For the Objections commonly made against the Acts of Settlement and Explanation, which are usually, That many Innocents were never heard, and that there was not time sufficient for hearing of them. But how this should affect those who purchased after the Acts passed, and Certificates and Letters Patents passed on them, is not demonstrable from any Rule of Law or Equity.

The

The Person designing to Purchase, enquires whether the Title of the Land or Tenement to be Sold be good in Law and Equity; and being assured in that, he forbears further Inquiry, being assured that never any Purchaser in Possession having Law and Equity on his side, was dispossessed by any Person whatsoever upon ground of Equity; and the Purchaser here hath the Law with him by the Acts of Settlement, and the Equity by the payment of his Money.

It is to be wished, that if Widows, Orphans, or any other Persons have fallen under hardship by the general Settlement of the Kingdom, that some way may be devised to make them Reparation; but the way prescribed by this Bill, is to rob the Innocent Purchasers, Creditors and Orphans of their Estates, to do it contrary to the publick Faith, Laws of the Land, and Precept of Holy Writ, *which forbids doing of evil, that good may come thereof.*

It's manifest by what has been said, That if this Bill proceed, as is now contrived, that all the Protestants in the Kingdom are undoubtedly and without reserve ruined; since the *Rapparees* (that is, the Armed Multitude) have taken away all their moveable Estates; and this Design is to take away all the Lands and Tenements purchased by them.

The thriving Catholicks, who were Purchasers (as most of the Province of *Connaught* are) are likewise to be turned out of their Estates and Possessions, and their own and the Improvements of those who hold under them utterly lost.

As to the Politick part which these great Statesmen, who drive on this Bill, make mention of, that will be worthy of consideration: It's said, that this will unite your Majesty's Subjects in this Kingdom: That is too gross to pass. Since the first mentioning thereof, Hath it not made a Division and Breach betwixt them? Nay, where there was none before? and doth it not grow daily wider? It was never heard, that Accommodati-  
ons,

ons, where all in Contest was given to one of the Parties, made an Union and Friendship? It is so far the contrary, that where nothing is awarded to one of the Parties, it makes the whole Award void and of none effect; and admitting the Old Proprietor had right, it is not enough except he have it against the Purchaser: And if the Design be what is pretended, to restore this Kingdom to the Peace and Plenty which it flourished in some years since, to unite your Majesties Subjects, whereby they may be enabled, according to their Duty and Allegiance, to restore your Majesty to the exercise of your Royal Dignity in all your Kingdoms; this can never be effected, except all pretenders recede in some degree from the full of their Pretensions for the Accommodation of the whole, and the Publick Quiet and Safety.

Would it not be an unreasonable thing in a Cargo where divers Merchants are concern'd, and have Goods and Merchandizes, in a Storm, to throw out by consent the Goods of any Merchant, tho' in the bottom of the Hold, and hardest to come by, for the Safety of all concerned, without Satisfaction given him, by a Contribution from those who had the advantage of it? Or if it could be done, or had time for it, were it not much more just that the Loss should be equally divided amongst them, by throwing out a just Proportion from all concerned, than to single out one part of the People, and by their ruin to advance the other? This is not in my Judgment, the readiest way of Uniting them.

Suffer me to make one step more, and Quære, *Whether the Catholick Purchasers now to be turned out of Possession, will joyn heartily with those that enter upon them?* Farewel Trade and Commerce, where Acts of Parliament shall be made to destroy Securities that were good when made: Farewel all Improvements in *Ireland*, where no Man shall ever know what Estate he hath, if the Foundation of the general Settlement should now be overturned.



I cannot foresee what the Consequences may be of having it published, and made known in your Majesties other Kingdoms and Dominions, and elsewhere where the Protestant Religion is professed, that such a Proposal as this (in relation to such of your Protestant Subjects as have made no defection) hath been prepared for your Majesties consideration, in order to be passed into a Law, and this, when they were secured by the Laws of the Land; and there was not so much as Common Equity to question the Title by which they held: That nevertheless use should be made of the Legislative Power to enact a new Law, after so many Assurances given them to the contrary; and after so many years quiet Possession, to turn them out of their Estates altogether.

It is much to be feared, that those who first advised this method of Proceedings, have considered their own particular advantage, and that of their Friends and Relations, without the least thoughts of your Majesties Service: For surely this can never be thought so, nor the way to settle this Kingdom, whereby it may be serviceable to your Majesty; nor can it be imagined, but that Men thus despoiled, will as often as Parliaments shall be called, make Application for Redress and Repeal, as in the Case of the *Spencers*, to Repeal a Repeal, and they and their Posterity will be always soliciting your Majesty and your Successors, to give them Relief in a Case of so great moment and general Concern as this is.

As for the Reprizals mentioned to be made them out of the Rebels Estate, which must be conceived (to give any colour to this manner of Proceeding) and ought to be equal to the Estate which the Proprietors shall be outed of, that will be very uncertain: For it must be known who the Rebels are, and what their Lands amount to, since it may be probably concluded, that there are many of your Subjects now in *England* no way concerned in the Rebellion, and would have ere this attended

attended your Majesty here, if they had not been hindered from coming by Dureſs and Imbargo, and many other legal and juſtifiable Excuses, too long for this present Paper; and withal, that where any of them are ſeiſed of any new Eſtates, ſo much muſt be reſtored to the old Proprietors, and what is Old, will be ſubject to their Settlements and other Incumbrances.

After all this, it is in the power of your Majesty to prevent the total Ruin of ſo many of your Subjects, as have been Purchaſers and Improvers in this Kingdom, by preſcribing more moderate ways than depriving them of the whole, of what they have legally and induſtriouſly acquired: And that Committees of both Houſes may hear and inquire, whether any Medium may be found out betwixt the Extreame, for the accommodating, as near as may be, the Purchaſer and the old Proprietor; ſo that if there be cauſe of Complaint, it may not ariſe from a total diſappointment of either Party. This is a little of what might be ſaid on this Occaſion; but the haſte of thoſe who drive on this Bill, will allow no further time at preſent.

*It is propoſed, That his Majesty will hear Council on this Occaſion.*

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(N.23.) *The Lord Biſhop of Meath's Speech in Parliament, June the Fourth, 1689.*

*Spoken on the Bill of Repeal of the Act of Settlement.*

*My Lords,*

**Y**OUR Lordſhips have now under your Conſideration a Bill of great Weight and Importance; for the future Proſperity or Ruin of the King and Kingdom depends upon it: A Bill that unſettles a

D d

former

former Foundation ( upon which this Kingdoms Peace and Flourishing was superstruted ) and Designs to erect another in its stead, the Success whereof is dubious and uncertain : I shall therefore humbly crave your leave to represent my Thoughts candidly and impartially upon it ; and that so much the rather, because I am here summoned by the King's Writ, to give his Majesty my best Advice for his own Service, and the good of the Nation.

*My Lords and Gen*

*My Lords,* In every Law, two things are to be consider'd : First, That it be Just, and doth no Man wrong : Secondly, And that it be *pro bono Publico*.

1. *It is Unjust.* And I am humbly of Opinion, that this Bill is faulty in both these respects, and therefore ought not to pass this House. It is unjust to turn Men out of their Possessions and Estates, without any Fault or Demerit; to deprive Widows of their Joyntures, and Children of their Portions, when they have done nothing to forfeit them. But the Injustice will rise much higher, if we consider it with a respect to Purchasers, who have laid out all their Substance upon Estates deriv'd under the Acts that now are designed to be Repeal'd. What have they done to make them Delinquents, except it be the laying out their Money on the Publick Faith of the Nation, declared in two Acts of Parliament, and on the Publick Faith of his Majesties Royal Brother, expressed in his Letters Patent's ? Their Case is yet harder if we consider the great Improvements they have made upon their Purchases, which by this Bill they are like to lose, without any Reprizal for them : And if it be reasonable to restore the Old Proprietors to their Estates, 'tis enough for them to enjoy them in the same plight and condition that they left them. But I see no reason why they should have them in a better Condition, or enjoy the benefit of other Mens Labours and Expences, to the utter ruin of them and their Families: Here

Mercy

Mercy should take place as well as Justice, for the Purchasers are the Objects of them both.

Two things I am sensible may be Reply'd to this, and I am willing to consider them both. First, That if it be Unjust to turn them out; It is as Unjust not to restore the Old Proprietor, who hath been so long kept out of his Estate. Secondly, That there is no injury done to the present Possessor, because he is to be Repriz'd for his Losses.

As to the first of these, I shall not at present meddle with the Reasons why they lost their Estates, nor touch upon the Grounds and Occasions of their forfeiting their Interests in them, being sensible that neither the Time nor the Place will admit a Discourse of this nature: I shall therefore take it for granted, that they were unjustly put out; that it is just and reasonable that they should be restored: But then it must be granted, that it is unjust to turn out the present Purchaser and Possessor. What then is to be done in this Case, where the Justice or the Injury is alike on both sides? If we restore the Old Proprietor, we injure the present Possessor; if we do not, we injure the Old Proprietor.

*My Lords,* It is my humble Opinion (which I submit to your Lordship's better Judgments) that we are to consider in this Case, who hath most Justice on his Side, and incline the Balance that way: If it lies on the Old Proprietors side, let him have it; if not, let the present Possessor enjoy it. Now it appears to me, that the Purchaser hath more Justice on his side than the Old Proprietor: For he has both Law and Equity on his side. He hath the Law on his side by two Acts of Parliament, and the King's Letters Patents; and he hath the Equity by his Purchase-Money: Whereas the Proprietor hath the Law against him, and nothing but Equity to pretend to. And I hope your Lordships will never think it reasonable, to relieve a bare equitable Right against a Purchaser that hath both Law and Equity:

If you do, I am confident it is the first Precedent of this kind.

As for the *Reprizals*, I hear the Name of them in the Bill, but I find nothing agreeable to

*Reprizals.* the Nature of them. There are certain Conditions agreed on all hands, to make up the Nature of a Reprizal; none of which are like to be observed or kept here. I shall name some of them, and leave it to your Lordships Consideration, how far they are like to be performed with the present Purchasers.

It is necessary to a Reprizal, that it be as good at least, if not in some respects better than the thing I am to part with: That I my self be Judge, whether it be better or worse; that I keep what I have till I am Reprized. If my Neighbour comes to me, and tells me, That he hath a mind to my Horse, or to a Field of mine that lies convenient for him. I tell him, that I have no mind to part with them. He offers me Money for them: I tell him, That I will not sell them. He tires me out with Importunities, and at length I consent to part with them in exchange for some other things as good as they: But I tell him withal, That I my self will be Judge whether they are so or not, since it is at his importunity, and to please him that I part with them: And besides that, I am resolv'd to be possessed of the Equivalent at the same time that I part with my own, there being no reason why I should dance Attendance after him, and wait his leisure for my Reprizal.

*My Lords,* If these be the true Conditions of Reprizals, as I presume they are, I am confident that not one of them is like to be observed in the intended Reprizals: Not the first of them; for by the Petitions that have been before your Lordships, and by an additional Clause in your Lordships Alterations, wherein you have sayed all Remainders expectant on Estates for Lives, most

most of the Reprizable Persons must part with an Inheritance to them and their Heirs, and get only in lieu of it an Estate for Life, which will determine with the Life of the Forfeiting Persons : So here is not equal Value, Worth and Purchase.

Not the Second : For the Parties themselves are not made the Judges, but the Commissioners: And I dare say, That if they were made the Judges, there is not one of them that are to be turn'd out, that will part with their present Possessions, or that judge the Reprizal to bear any Proportion with the Estates they are to quit.

Not the Third : For, by the Commons Bill they are to be turn'd out immediately, and wait for a Reprizal afterward ; and all the Favour they can obtain from your Lordships, is only to have a competent Time for their removal, (which may be long or short, as the Commissioners please ) but out they must go at the discretion of the Commissioners, and wait their leisure for a Reprizal.

This is the first Objection against this Bill. The next is, that it is not for the Publick Good, either for the King or the Kingdom. *It is not for the good of the King, who is the Vital Head of this great Body, and that whether we respect his Majesties Honour or his Profit.* *Publick Good.*

It is not for his Majesties Honour to consent to the Ruining of so many Innocent Loyal Persons, as must unavoidably perish, *Not for the King's Good.* if this Bill doth pass : It is not for his Honour to rescind those just Acts of his Royal Father and Brother, the Act for Adventurers passed in *England*, and the Declaration and Acts of Settlement and Explanation, which if I am not misinform'd, were five years upon the Anvil, and at last not pass'd, till all Parties were fully heard. It is not for his Majesties Honour to break his Word with his Peo-

ple, nor violate so many repeated Promises as he hath made, that he would not Consent to the Repeal of them.

And as it is not for his Honour, so it is not for his Profit or Advantage: It will neither preserve him in the Kingdom that he enjoys, nor restore him to those he has unhappily lost. His Profit in this Kingdom must arise out of a constant Payment of his Revenue both Ordinary and Extraordinary: And who is able to pay his Revenue, or support the Dignity of his Crown, if this Bill passeth into a Law? The Protestants are not able, the Rapparees have plunder'd them of all their Substance, and here is a Bill to take away their Estates; and consequently they will have nothing left to pay the Publick Taxes of the Nation. And as for the Romanists, they will be in as ill a Condition as the Protestants. The Old Proprietor comes Poor and Hungry into his Estate, and can pay nothing until his Tenants raise it; and the present Possessor loseth the benefit of his Purchases and Improvements; and who then is able to supply the Necessities of his Majesty? Besides this, in many parts of the Kingdom, the Land is hardly able to pay the Kings Quit-Rent, by reason of the Universal Depredations that reign every where; and can it be imagin'd, but that things will grow far worse when the ablest Catholick Merchants, and the most wealthy Purchasers of that Communion are ruined and undone?

And as it is not for the King's Profit in this Kingdom, so it is to the utter Ruin of his Interest in the Kingdoms that he has lost. Will the Protestants in *England* and *Scotland* join heartily in restoring him to his Crown, when they understand how their Brethren here are used? No, *My Lords*, they will rather bend and unite all their Forces to hinder his Restitution, when they consider that the Mischief is like to come home to their own Doors, and that what is a doing here, is but a Model of what they must suffer, if he be restored. Will they trust his

Word



Word in *England*, when he breaks it in *Ireland*, or rely on his Promises to them, when he doth not keep them to his Subjects here? This, my Lords, will abate their Affections for him, and gain him more Enemies there than he can have Friends here.

It is not for the Good of the Kingdom, and that if we consider it in Reference to Trade, Wealth, Improvements, and Husbandry.

It will ruin the Kingdom in point of Trade. Divine Providence hath placed us in an Island, were we must Trade or want many Conveniences of Life; and can we expect that the Trade of this Nation will increase in our Hands, when we find it sunk so low by the removal of the Protestant Merchants Effects out of the Kingdom? And for those Catholick Merchants that carry it on in some measure; can we believe, that they will be able to carry it on, when we are ruining their Stocks by taking away their Estates and Improvements from them? Nay, we shall not only ruin our own Traders at home, but break their Correspondents abroad whose Effects are in their Hands. We have passed a Bill in this House, for the Inviting Strangers to Settle and Trade among us; but it is worth considering, Whether the Course we are now taking, will not hinder the Nation of the intended benefit of that Bill? For if Foreign Merchants come among us, what Security have they, but the Publick Faith of the Nation? and it is not probable that Strangers will rely upon it, when they observe that it is so ill kept towards our own People.

*It Ruins the Kingdom.*

If Trade decays, the Wealth of the Nation must perish with it; for they live and die together. Wealth cannot subsist without Trade, or without Security for Debt: And who will ever lend Money, or Purchase, or Improve in this Kingdom after this? When the Money that hath been lent, and the Purchases made from Persons deriving their Estates under two Acts of Parlia-

ment, many years Possession, and Letters Patents on Record, are all blown off at once, and nothing left sure or firm in the Kingdom? For my part, I cannot understand that any Man will purchase an Acre of Land hereafter, when former Purchasers that thought themselves secure, are so much discouraged. Improvements must perish likewise: For by the Petitions that have been preferred to this House, your Lordships may perceive that some Proprietors have but small Estates, 20, 40, or 100 Acres, on which sumptuous Houses and large Gardens and Orchards have been erected, and the Income of their Estates is not able to repair the Glass-Windows, or defray the Wages of the Gardiner. And as for Husbandry, what between the Old Proprietor that is to be restor'd, and cannot manure the Ground till he is possessed of it, and the present Possessor, that knows not how long his Term will hold, and therefore will be at no Charges upon a Term that depends on the Will of the Commissioners, we shall have the Plough neglected, and must feed on one another instead of Corn.

*My Lords,* This is not all the inconvenience in it, but it is likewise to the prejudice of the People in the Kingdom, both Protestants and Catholics: The Protestants are already ruin'd by the Rapparees, and if their Estates are taken from them, I know nothing wanting to make them compleatly miserable. The rich Catholics have as yet escap'd the Depredations of their Neighbours, but they will be almost as miserable as the Protestants, when their Estates and Improvements are taken from them.

*My Lords,* This Bill doth likewise destroy the Publick Faith and Credit of the Nation; it destroys the Credit of England by Repealing the Act Pass'd there for the Satisfaction of Adventurers; it destroys the Publick Faith of Ireland by Repealing the Acts of Settle-

*Settlement and Explanation*; it violates the Faith of his late Majesty, which hath been pass'd to his Subjects in his Gracious Declaration for the Settlement of this Kingdom, and in his Letters Patents pursuant to it.

It subverts the Credit of his present Majesty in his Letters Patents, that he hath pass'd since his coming to the Crown on the Commission of Grace, for he has receiv'd the Composition Mony; and if these Grants must be vacated, I cannot forbear to speak it plainly, that the Subject is deluded; it commits a Rape upon the Common Law, by making all Fines and Recoveries useless and ineffectual; and it invades the Property of every private Subject, by destroying all Settlements on valuable Considerations.

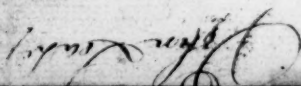
*My Lords*, This Bill is *Inconvenient in point of Time*. Is it now a time for Men to seek for Vineyards and Olive-yards, when a Civil War is raging in the Nation, and we are under Apprehensions (I will not say fears, for it is below Men of Courage to be afraid) of Invasions from abroad: Is it not better to wait for more peaceable Times, and Postpone our own Concerns to the Concerns of his Majesty and the publick Peace of the Nation? To do otherwise, is to divide the Spoil before we get it, to dispose of the Skin before we catch the Beast. We cannot in this case set a better President before us, than the Case of the *Israelites* in the Book of *Joshua*; they had the Land of *Canaan* given them by God, but yet *Joshua* did not go about to make a Distribution of it to the Tribes, till they had subdued their Enemies, and the Lord had given them Peace. Nay, *My Lords*, I am confident that it will prejudice his Majesties Service, because every Mans Eye and Heart will be more on his own Concerns, than his Majesties Business: It is possible that their Affections may be more set upon the gaining of their Estates, than the Fighting for the King; and then all their Endeavours will be drowned in the Consideration of their own profit.

*Moses*

*Moses* was jealous of this when the two Tribes and an half desired to have their Possessions on this side *Jordan*, before the Land was intirely subdued; and there may be the same Motives to the like Suspicions now.

*My Lords*, Either there was a Rebellion in this Kingdom, or there was not: If there was none, then we have been very unjust all this while, in keeping so many Innocents out of their Estates; and God forbid that I should open my Mouth in the defence of so gross an Injustice. But then what shall we say to his Majesties Royal Father's Declaration in his Εἰκὼν Βασιλική, who there owns that there was a Rebellion; and in pursuance of that Opinion, passed an Act to secure such as should adventure Money for the suppressing of it? Nay, What shall we say to the two Bills that have been brought into this House: The one by an Honourable Lord, which owns it fully; the latter from the Commons, which owns a Rebellion, but extenuates it? I take it then for granted that there was a Rebellion; and if so, It was either a total, or a partial one: If it was a general one, then all were guilty of it, and none can pretend to be restored to his Estate, farther than the King in his Mercy shall think fit to grant it him: If it was a partial one, then some Discrimination ought to be made between the Innocent and the Guilty; the Innocent should be restored, and the Guilty excluded from their Estates. But here is a Bill that makes no distinction between them, but Innocent and Nocent are all to fare alike; the one is to be put in as Good a Condition as the other. And can your Lordships imagin that it is reasonable to do this, when we all know that there has been a Court of Claims erected for the Trial of Innocents; that several have put themselves upon the proof of their Innocence, and after a full Hearing of all that they could offer for themselves, have been adjudged Nocent?

*My Lords*, I have ventured Candidly and Impartially to lay my Thoughts before you; and I have no other design in it, than honestly to acquit my Conscience towards



wards my King and Country. If my Freedom hath given your Lordships any Offence, I do here submissively beg your Pardon for it ; but it is the Concern of the Nation in general, that hath made me so warm in this Affair. I have but one thing more to add, That God would so direct and instruct your Hearts, that you may pitch upon those Courses, that may be for the Honour of the King, and the Benefit of the Kingdom.

*Objections against the Particulars of the Bill, made by the Lord Bishop of Meath.*

- I. NO Penalty on such as shall enter without Injuries.
- II. No Considerations for Improvements. *Improvements*
- III. No saving for Remainders.
- IV. No Time given to Tenants and Possessors, to remove their Stock and Corn.
- V. No Provisions for Protestant Widows.
- VI. It allows only Reprizals for Original Purchase-Mony, which is hard to make out, and is an Injury to the Second or Third Purchaser.

(N.24) *Copies of the Orders for giving Possessions, &c.*

Com. Kildare. { *By the Lord Lieutenant of the County of Kildare, and one of his Majesties most Honourable Privy Council.*

[*Note, The Copy of the First Order, for Garrisoning the House of Ballysannan could not be gotten.*]

W Hereas I have been informed, That *Ballysannan*, now belonging to Mr. *Annesly*, was a House of Strength, and therefore fit to have a Garrison ; and now being convinc'd of the contrary : These are therefore in his

his Majesties Name, to require you forthwith to remove your Men to their former Garrison, out of the said House. Given under my Hand this first day of *April*, 1690.

*Charles White.*

*For Captain Patrick Nugent, or the  
Officer in Chief, Commanding the  
Troop at Kildare.*

S I R,

**T**His is to let you understand, that I am Authoriz'd to give the Proprietor Possession of the Lands of *Ballysannon, &c.* according to the Act of Parliament; and that you may not be surpriz'd therein; I give you this Notice, from Sir,

*Your loving Friend and Servant,*

*Naas the 8th of April, 1690.*

*For John Annelly Esq; or in  
his Absence, to Francis  
Annelly Esq;*

*Charles White.*

*These*

### *Second Order for Ballysannon.*

**W**Hereas *Luke Fitzgerald Esq;* has proved himself before me, to be the Ancient Proprietor of the Town and Lands of *Ballysannon*, and that his Ancestors were possessed of their Mansion-house there, in the Year 1641. I do therefore, in pursuance of his Majesties Orders unto me, appoint the under-named Persons to give Possession of the Mansion-house there, to *Luke Fitzgerald Esq;* and for so doing this shall be your Warrant. Given under my Hand and Seal this sixth day of *May*, 1690.

*Charles White.*

I do hereby appoint Captain *Walter Archbold*, or Captain *John Dillon* of *Atby*, to give Possession of the Mansion-house of *Ballysannon*, to *Luke Fitzgerald Esquire*.

*An Account of Absentees Goods, and how they were imbezelled.*

**T**He beginning of *March* 1688. or before, several Persons, Officers of the Army, who were impowered, or pretended to be impowered by my Lord Deputy, seized on the Goods of *Absentees*, in most Counties of the Kingdom, except the City of *Dublin*.

*May 7th* 1689. A Warrant comes to the Commissioners of His Majesties Revenue, under His Majesties Privy Signet and Sign Manual, dated *April 29th* 1689. to empower the Commissioners of the Revenue, to call all such Persons to Account, that had seized any Goods or Chattels of *Absentees*.

*May 9th* 1689. The Commissioners of the Revenue issued out Instructions to several Persons, in the respective Counties pursuant to His Majesties said Warrant.

As to the Country, it must be observed, That betwixt the *1st* of *March*, 1688. (being the Time of seizing by the Officers of the Army) and *9th* of *May* 1689. when the Commissioners were impowered, a great part of the Goods of *Absentees* were stolen or disposed: The Officers that seized, were at the Camp at *Derry*; and if any Accounts were returned by them to the Lord Deputy, the same never came to the Commissioners, tho they often endeavoured with the Secretary to find any such Accounts.

The Commissioners of the Revenue thereupon solicited a Bill to pass in Parliament, to vest the Goods of all *Absentees* in the King, with some fitting Power to the Commissioners of the Revenue, for the more easie and expeditious bringing all Persons to Account, that had formerly seized: But this met with much delay and alterations. At last the Bill passed the *18th* of *July* 1689. and the Scope of it amounts to no more, than to vest in His Majesty, the Goods of such Persons only, as are declared Forfeiting Persons by the Act of Attainder, or  
Per-



Persons absent, who abet or assist the *Prince of Orange*, (with exception of Minors, and some *Proviso's* by the Act of Attainder) most had time to return till the 1<sup>st</sup>. of *September*; and the general Clause of all Persons that have aided or abetted the *Prince of Orange*, does not intitle the King without an Office found, that such Persons did aid or abet; and this requiring Proof, and a Great Charge, there did not appear sufficient profit to arise to answer the Charge. Upon the whole Matter, this Bill seemed rather to lessen the Zeal of those employed to seize Absentees Goods, than otherwise, when they consider'd, that upon debate in Parliament, it was denied to pass a Law that should indemnifie them for more than half their Seizures, even in the City of *Dublin*, half the Persons, whose Goods were there seized, not being named in the Bill of Attainder. However,

*August 9th. 1689.* The Commissioners of the Revenue having appointed four Provincial Surveyors, gave them Instructions, that the Surveyor General and the Collectors, should dispose of the Stocks of Absentees; whereby it appears, that instead of neglecting that Matter of the Goods of Absentees, they seemed rather to have given Order for the disposal of them before they were forfeited.

*September 14th. 1689.* The Commissioners finding no satisfactory Returns, from the Commissioners employed by them, most of the Commissioners being in the Army, or neglecting the Matter, or applying the Goods to their own Use, they superseded those Commissioners, and left the whole Matter to their Collectors; which if done at first, some profit might have redounded to His Majesty.

2. The Goods of Absentees in the City of *Dublin*, were not ordered by the Lord Deputy to be seized; but the People observing what was done in the Country, and there being free Transportation for *England* in *March*, the Custom-house-Key became like a Fair, and the most of Absentees Goods were then sent for *England*.

land; scarce any thing valuable was then left, unless by the Carelessness of the Persons employed by the Absentees.

The said 9th of *August*, 1689. the Commissioners empowered several Persons to seize the Goods of Absentees in the City of *Dublin*, with like directions as the Lord Deputy gave formerly in other Counties, *viz.* To inventory and take security for the forth-coming of these Goods, and not to strip the Houses, or hinder Trade; for many Brewers, Ale-sellers, and other Handy-Crafts and Traders, though absent, yet had left behind them Servants, Friends, and sometimes their Wives to manage their Trade; and to have strip't those Houses, had but added to the Number of Wast Houses, and lessened His Majesties Revenue; some Ale-houses not having the Value of Forty Shillings of Absentees Goods, draw three or four Barrels of Drink *per Week*, besides their Quartering of Soldiers, which has cost the Inhabitants more generally by far, than the Goods could be sold for at these Times.

And this Matter ought at present to be well considered; for, though now the Goods are vested in the King by Law, and the best of them is to be made for the King's Advantage; yet Rotten Hangings will sell only to those that have the House.

(N.25.) *Albaville's Instructions to the Commissioners of Oyer and Terminer.*

*Gentlemen,*

**T**HE many Robberies, Oppressions and Outrages committed through all parts of the Kingdom, to the utter Ruin thereof, and to the great Scandal of the Government, as well as of Christianity, forces his Majesty to a great Resentment against those that prove Encouragers and Abettors of them, by an unpardonable neglect

neglect in the Execution of his Royal Orders. And whereas the Issuing out Commissions of *Oyer and Terminer* in all the Counties of the Kingdom, which was done some Months ago, was judged by his Majesty, with the Advice of his Privy Council, the most Efficacious means to prevent and quash such horrid Disorders,

- I. You are Ordered by his Majesty, on sight hereof, to let Me, his Principal Secretary of State, know what you can alledge, to justify your selves from the Imputation of having strangely Neglected (all this time) the Execution of your Commission, which proves the chiefest Cause of this general Desolation of the Country.
- II. You are Commanded by his Majesty, to proceed without the least delay to the Execution of your Commission, and send to me (for his Majesties Information) a Weekly Account of your Proceedings.
- III. That you Adjourn from one Week to another; and at farthest, not above a Fortnight.
- IV. That you proceed with all Just Severity, against such of the Justices of the Peace, as have Bayled (contrary to the Law) Malefactors: And against all such as favour (in any manner) Robbers and Thieves.
- V. That you proceed against all Persons whatsoever, who have given, or will give, any Obstruction to the Execution of your Commission: And if they prove Officers of the Army, or Absent, so as you do not think fit to proceed against them, that you forthwith send me an Account thereof.
- VI. That you proceed with all Rigour, against all Persons found Guilty of Counterfeiting the King's Coin.
- VII. And lastly, That you Order all Men to fall upon publick Robbers, who have no regard of their Duty towards GOD, their King or Country, destitute of all sense of Humanity; and consider them but as wild Beasts, who live upon Prey and Rapine.

This

This is, Gentlemen, what I have at present in Command from his Majesty to send to you; to which I will add this Advertisement, *That you cannot light upon better Measures to allay the KINGS just Resentment of your former Neglects, (the occasion of a World of Mischief) than by a speedy and vigorous Execution of your Commission.*

Let the present general Cries of the People for Justice, and the present general Oppression under which the Country groans, move you to have a Compassion of it; and to raise in you such a publick Spirit, as may save it from this Inundation of Miseries that breaks in upon it, by a Neglect of his Majesties Orders, and by a general Relaxation of all Civil and Military Laws.

Consider that our Enemies leaving us to our selves as they do, conclude we shall prove greater Enemies to one another than they can be to us; and that we will destroy the Country, and enslave our selves more than they are able to do: What Inhumanities are daily committed against one another, gives but too much ground to the truth of what our Enemies conclude of us.

I had almost forgot a special Command of his Majesty, that is, That you will consider the *Liberty of Conscience* granted by Act of Parliament, and to punish the Infringers of that Law, who by an indiscreet and inconsiderate Zeal usurp his Majesties Prerogative, not reflecting how much his Majesties and the Nations Interest, and not only the Religion of the Nation, but the Catholick Religion in all the parts of Christendom is involved in a Religious Execution of that *Liberty of Conscience.*

*I am, Gentlemen,*

Dublin-Castle, Jan. 2. 1689.

Your most humble Servant:

*To the Commissioners of Oyer and Terminer for the County of Dublin, or to any or either of them, to be Communicated to the rest.*

*Marquis de Albaville.*

*To the Lord Chief Justice Nugent.*

(N.26. *A Copy of a Petition of the Minister of Wexford, for his Church; and the Order thereupon.*

To the KINGS most Excellent Majesty.

*The Humble Petition of Alexander Allen of Wexford,*  
CLERK.

*Most humbly Sheweth,*

**T**Hat your Petitioner being Minister of the Parish-Church of *S. Iverius*, in the Town of *Wexford*; hath therein for several Years past, daily celebrated Divine Service, and exercised all other Offices of his Function with Piety to GOD, and constant Loyalty to your Majesty: Yet Your Petitioner on the 25th of October last, was dispossessed of his said Church, (contrary to the late Act of Liberty of Conscience) by *Edward Wiseman* Esq; Mayor of *Wexford*; who a few days after, did not only, by the Rabble, introduced by him, break down and demolish all the Pews and Altar of the said Church, but did seize, and unjustly deny your Petitioners *Vestments, Church-Book*, and other Ornaments thereof, to the great prejudice of your Petitioner and his Parishioners; although your Majesties Roman Catholick Subjects have several Chappels fit for the free Exercise of their Religion, both within and without the Walls of the said Town, and whereunto several Protestant Inhabitants have given liberal Contribution. Your Petitioner further sheweth, That he the said *Edward Wiseman*, as Magistrate of the Town of *Wexford*, is obliged (as usually it hath been by Act of Vestry) to encourage and provide for the Relief of distressed Orphans, and other Poor of the said Town of *Wexford*; yet uncharitably refuseth to interpose his

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Authority in the behalf of such Poor, whereby they must inevitably perish, if not speedily Relieved.

*May it therefore please your Majesty, to restore your Petitioner to his Parish Church, which was never Forfeited by Absence, or otherwise: And that the said Edward Wiseman may be obliged to Repair it, and leave it in the same Condition he found it; And that such Care may be taken for Relief of distressed Orphans, and other Poor from Famine, as is usual.*

And your Petitioner shall ever pray, &c.

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*At the Court of Dublin Castle, Jan. 28th. 1690.*

*Loco Sigi<sup>l</sup>* } Present the KING's most Excellent Majesty in Council.

**W**Hereas His Majesty is Informed upon Oath, That *Edward Wiseman* late Mayor of the Town of *Wexford*, did Illegally Seize upon the Parish Church of *St. Iberius* in the said Town of *Wexford*, broke down the Pews and Altar of the said Church, and detained the Vestments, Church-Books, and other Ornaments thereunto belonging: His Majesty was graciously pleased, to Order *Mr. Nicholas Stafford*, present Mayor of the said Town of *Wexford*, forthwith to cause the said Church and Goods to be Restored to *Alexander Allen*, Minister of the said Parish, in the same condition they were in when Seized upon by the said *Edward Wiseman*.

*Hugh Reily.*

(N.27.) *Mr. Prowd, Minister of Trim, his Account of the Remarkable Accident that happened upon Plundering the Church of Trim.*

S I R,

**T**His will give you an Account of an eminent Instance of Gods Vengeance shewn on one *John Keating*, a Church Rapparee, who in the very act of Plundering and Breaking of our Church, was struck with a sudden Madness, in which he continu'd for the space of three Weeks; and that day Three Weeks he was struck Mad, died in a sad and miserable Condition. The manner of it was thus: This *Keating* was a Soldier in the Lord of *Kimmaries* Regiment; he with other his Associates, having often before Plundered, broken and dispoiled the Seats of our Church, without interruption or disturbance, resolved on *Christ-mas-day* at night, to break and plunder our *Altar*, (on which we had that day celebrated the Holy Communion): And to that end, he with two more, about Midnight, entred the Church. This *Keating* immediately attempted to break one of the folding Doors, leading to the Communion Table, and endeavouring with all his force to wrest the Door from the Hinges, immediately (as he thought) saw several glorious and amazing Sight; But one ugly Black Thing (as he called it) gave him a great Soule upon the Poll, which drove him immediately into so great disorder, that he tore all the Cloaths off his Back, and ran Naked about the Streets, and used all mad Bedlam pranks whatever. He was put into the Dungeon, where he remained for the space of Fourteen days without either Meat, Drink, Cloaths, or any thing necessary for the support of Nature; would not take so much as a drop of cold Water; continually Raved of the Spoils of the Church, and saying, *That he took the most pains in breaking*



*ing and taking off the Hinges, and yet got the least share for his Pains.* From the Dungeon he was removed to one *Thomas Kelly's* House in the Town, where he behaved himself as in the Prison, neither eating bit, nor drinking drop, or admitting a Rag to cover his Nakedness; and about eight days after he removed from the Dungeon, died in a sad and deplorable manner. I was so curious as to enquire of those that knew him very well, whether ever he was Mad before, or liable to any such disorders; they all assured me, that they never knew any thing of that nature by him in the whole course of his Life; so that I think we may very well look upon it as the immediate Hand of GOD.

Sir, I dare assure you, that this is a great Truth, and so evident and manifest, that it hath challenged and extorted an Acknowledgment from all Parties whatever: Neither the Romish Clergy, nor any of the Officers of the Regiment (who are all Papists) do in the least disown it: And it had this influence and effect upon all Soldiers and Papists, that from that time forth, never any of them were known to enter, plunder, or disturb our Church,

We have an account that another of *Keatings* Companions at the very same time was struck Mad in the very Act of breaking the Communion Table, and that within very few hours after he died; but they politickly concealed it, and buried him privately soon after, for fear it should be known; but the certainty of this I dare not affirm; but am sure some of their most sober and serious Clergy did freely own it.

*Trim,*  
1<sup>st</sup>. March 1689.

*George Frowd.*

(N.28.) *General Rosen's Order to bring the Protestants before Derry.*

Conrade de Rosen *Mareschal General of all his Majesties*  
F O R C E S,

**D**eclares by these Presents, To the Commanders, Officers, Soldiers and Inhabitants of the City of *Londonderry*, That in case they do not, betwixt this and *Monday* next, at Six in the Afternoon, being the 1<sup>st</sup> of *July*, 1689. agree to Surrender the said place of *Londonderry* unto the King, upon such Conditions as may be granted them, according to the Instructions and Power Lieutenant General *Hamilton* formerly received from the King; That he will forthwith issue out his Orders from the Barony of *Inishone*, and the Sea-Coast round about, as far as *Charlemont*, for the gathering together of those of their Faction, whether **Protected** or Not, and cause them immediately to be brought to the Walls of *Londonderry*, where it shall be Lawful for those that are in the Town (in case they have any pity for them) to open the Gates, and receive them into the Town; otherwise they will be forced to see their Friends and nearest Relations all starved for want of Food; he having resolved not to leave one of them at home, nor any thing to maintain them: And that all hope of Succor may be taken away by the Landing of any Troops in these parts from *England*; **He further Declares**, That in case they refuse to submit, he will forthwith cause all the said Country to be immediately Destroy'd; that if any Succour should be hereafter sent from *England*, they may perish with them for want of Food: Besides which he has a very considerable Army, as well for the Opposing of them in all places that shall be judg'd necessary, as for the Protecting all the rest of his Majesties dutiful Subjects, whose Goods and Chattels he promises to Secure, destroying all the rest that cannot be

APPENDIX  
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be brought conveniently into such places as he shall judge necessary to be preserved, and burning the Houses and Mills, not only of those that are in actual Rebellion, but also of their Friends and Adherents, that no hopes of escaping may be left for any Man: Beginning this very day to send his necessary Orders to all Governors, and other Commanders of his Majesties Forces of *Colerane, Antrim, Carrickfergus, Belfast, Dungannon, Charlemont, Belturbet, Sligo, and to Col. Sarsfield* Commanding a flying Army beyond *Ballyshany*, Col. *Sutherland* commanding another towards *Inniskillen*, and the Duke of *Berwick* another on the *Finwater*, to cause all the Men, Women and Children, who are any ways related to those in *Londonderry*, or any where else in open Rebellion, to be forthwith brought to this place, without hopes of withdrawing further into the Kingdom; that in case before this said *Monday the 1st of July*, in the Year of our Lord, 1689. be expired, they do not send Us Hostages, and other Deputies, with a full sufficient power to Treat with Us for the Surrender of the said City of *Londonderry* on reasonable Conditions, that they shall not after this time be admitted to any Treaty whatsoever: And the Army which shall continue the Siege, and will (with the assistance of God) soon reduce them, shall have Orders to give no Quarter, or spare either Age or Sex, in case they are taken by Force: But if they return to their Obedience, due to their Natural Prince, he Promises them, that the Conditions granted them in his Majesties Name, shall be inviolably observed by all his Majesties Subjects; and that He himself will have a Care to Protect them on all Occasions, even to take their parts, if any Injury (contrary to the Agreement) should be done them; making Himself responsible for the performance of the Conditions on which they Agree to Surrender the said place of *Londonderry* to the King. Given under my Hand, this 30th day of *June*, in the Year of our Lord, 1689.

*Le Marechal Rosen.*

(N. 35) *The Indictment of Dennis Connor, in which the Counterfeit Letter to Mr. Wil. Spike is inserted.*  
Term' Hillar' quinto & sexto Jacobi Regis.

**C**Om. Dublin', Scilicet Juratores pro Domino Rege sup' Sacrament' suum dicunt & present', quod Dyonisius Connor nuper de Dublin' in Com' Civit' Dublin' Yeoman, existen' homo malitiosus perniciosus & nequissimus, machinansque & intendens pacem & commun' tranquillit' hujus Regni Hiberniæ perturbare, & discord' inter Dominum Regem & subditos suos incitare & movere, & dict' Dom' Regem & gubernationem suam in odium contempt' & vilipendenciam inducer' & Insurrectionem & Rebellionem in hoc Regno Hiberniæ suscitari mover' & inferr' Vicesimo die Januar', Anno Regni Domini nostri Jacobi Secundi Dei gra' Angl', Scotia, Franciæ & Hiberniæ, Regis Fidei defensor', &c. Quinto, apud Castrum de Dublin in Com' Dublin' prædict' seditiosam, malitiosam, & illicit' scripsit vel scribi fecit quandam seditiosam & malitiosam Epistolam sive Chartam cujus quidem seditiosæ & malitiosæ Epistolæ tenor sequitur in hæc verba, scilicet.

Eniskillin the 10th of January, 1689.

*Cosm. Spike,*

**Y**OURS I receiv'd January the First, it being the greatest satisfaction I could expect to hear of your good Health and Welfare, and the rest of your good Family; getting the convenience of the honest Bearer, makes me acknowledge your often Kindnesses to me. Yesterday we received Letters from Londonderry, they all agree with our Proposals, as in carrying on our design in Dublin: The Day appointed is the Fourth of February at Supper time in the Castle; and for some of our Men intended for that purpose, to go in a little before, as many as can well, not being suspected; others to stay

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in the Street and Houses thereabout until the Word is given [**God be with us:**] Then all to force in, Killing the Guards, after giving the *Tinker* and the rest of his Function their last Supper. Mr. *Drury*, he is intended to Fire the Suburbs, with others of his Assistance as might be thought fit, it being a means to force the Soldiers out of the City. We question not but our People is in number enough to do the Work, as well in the City as Castle: One Night does all. We have here in these Parts, 14000 Horse and Foot in readiness to be with you in *Dublin* in five or six days at farthest. I hope God will inspire into our Peoples Hearts, to persevere with undaunted Hearts, to pull down that Yoke of Popery which we are likely to lie under, unless by God prevented. We are in the Truth, and I hope God is with Us; although our Expectations being failed hitherto, we might think it rather Punishment for our Sins, than in any wise hindrance of our Victory. Last Week we had an Account from *Derry*, that there landed two Ships laden with Ammunition and Provision, and to the number of 56 Volunteers, the most of them now being here with Us; they giving us an Account of our *English* Resolution, *That they will every Man die, rather than be yielding to Popery*; likewise that great Preparations are made for our *English* to come over this Spring, to the number of 22000 Soldiers and Inhabitants to settle the Country. *Cosin*, I desire you'll direct the Bearer to Mr. *Pains*, with a Letter he has for him: And likewise I desire you to go to my *Cosin*, and give my kind Love to him, and the rest of his good Family. I suppose the Pacquet of Letters, as touching this Matter, is wholly directed to Mr. *Smith*, which meeting with him, will give you the full at large. My kind Love to my *Cosin George* and your Wife. This being all at present. Your loving *Cosin* to command during Life.

These, For Mr. *Wil. Spike*,  
Living at *Colledge-Green* in the  
Old Parliament-house, *Dublin*.

*Mary Smith.*

*Et*

Et alterius Jurator prædict' super Sacrament' suum prædict' dicunt & præsent', quod idem Dionysius Connor sciens eandem Epistolam sive Chartam fore falsam, malitiosam & seditiosam, postea scilicet eodem Vicesimo die Januarii Anno Regni dict' Domini Rigts quint' supradict' apud Castrum Dublin' in Com' Dublin', prædict' seditiosam & malitiosam Epistolam sive Chartam prædict' publicavit & publicari fecit contra debi' ligeantiam suam in malum exemplum aliorum in tali casu delinquentium, & contra pacem dicti Domini Regis nunc, coronam & dignitatem suam, &c.

Copia vera.

Examinat' per F. Nugent.

(N.36.) *Capt. Brown's Acknowledgment, That he Perjured himself.*

**W**Hereas I *John Brown* Gent. did on or about the last day of *December* last, come before the Right Honourable, the Lord Chief Justice *Riversdown*, Lord Chief Justice of all Ireland; and did in an Examination taken before him upon Oath, accuse *Edward Brock* of the City of *Dublin*, for speaking and uttering several Seditious Words, reflecting on his Majesty and the Government. Now I the said *John Brown*, do hereby Acknowledge and Declare, That I did very much Wrong and Abuse the said *Edward Brock* in the said matter; he never having uttered or spoke any such or the like Words, wherewith I accused him before the said Lord Chief Justice. As Witness my Hand this Third Day of *February*, 1689.

*Witness present,*  
The Words (upon Oath) being first Interlined.

*Fra. Rica.*

*Ja. Somervil.*

*John Brown.*

(N.29.)

(N.29) *Advertisement, as it was published by Mr. Yalden in his Weekly Abhorrence, Concerning Dr. King, and Dr. Foy.*

There was lately published by *John Yalden Esq;* the substance of Fifteen Sermons, Entituled, *An Abhorrence from the Bishop of Ely, &c. of the Proceedings of the Prince of Orange, and the Lords, &c. that invited Him.* But some Protestants believing the said Book to be a Popish Contrivance; and that such Doctrins as were therein, were never Preached by the Divines there named: Upon which, a Gentleman of Quality (to satisfy these Doubts,) applied himself to two Reverend Divines of this City, viz. *Dr. King* and *Dr. Foy*, who both certified under their Hands, That the Doctrins contained in the said Book, were honest and true Christian Divinity, and obliging to all Christians to put immediately in practice, upon the peril of their Salvation. Which Certificate satisfied several Protestants here, and confirmed them in an unchangable Loyalty.

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*March 8th, 1689.*

*Reverend Sir,*

I Intended to have waited on you this Afternoon; but found my self so Indisposed, that I durst not venture abroad. I have been made sensible, That the Publisher of the *Weekly Abhorrence*, has made use of your Name and Mine: And affirms, That We have Certified under our Hands, that the Doctrins contained in a Book published by one *John Yalden Esq;* containing a Collection of the Substance of Fifteen Sermons, were honest and true Christian Divinity, and Obliging to all Christians to put immediately in practice, upon the peril of their Salvation:



*vation*: And he intimates, That this Certificate has been shewn to several Protestants here. *Sir*, For my own part, I do profess that I never Read the aforesaid Book; nor did any Gentleman of Quality (as he affirms) ever apply himself to me to satisfy him in any Doubts concerning it, that I remember. I am sure never any Body demanded a Certificate from me concerning it; nor did I ever Sign any such Certificate as he pretends, or any thing like it: And therefore that whole Advertisement (as far as it concerns me) is absolutely false and groundless. If any one had asked me concerning that Collection, I could have given him no other Answer, than that I had neither read it, nor the Sermons out of which 'tis said to be taken: Perhaps the Collection may be just, and no harm in certifying it to be so; but I am sure there is a great deal of harm in forging a Certificate under a Man's Hand, whatever the matter be that is Certified: And if there be no such Certificate forged or real, it is no less Criminal, to publish to the World (as in this *Abhorrence*) that there is one. I cannot imagin to what purpose the *Publisher* should have inserted such an easily detected Falshood, which he could not expect should escape being discovered; except he had a mind to destroy both his own Credit, and likewise that of the Collection. Pray (*Sir*) if you know any thing of this matter, Communicate it to

To the Reverend  
Dr. Nath. Foy.

*Your most humble Servant,*

These,

Wil. King.

*Reverend Sir,*

**W**Hat you were pleased to acquaint me with, several Gentlemen who were Concern'd for me, gave me Notice of some few Hours before: Upon which I immediately repaired to the Coffee-House (the likeliest place,

place, as I judged, to find a Lye, if it were stirring) where I saw my self in Print; of which, tho' I could not imagin what should be the ground, yet since it was resolv'd it should be so, I was glad to be found with so good Company as your self. Had the Gentleman, amongst other things in his *Abhorrence*, but abhorr'd Untruth, I'm sure my Name had never appear'd in his *Advertisement*: For I declare, I never read the Book mentioned therein, and I judge I shall not be very Fond of reading any thing that comes from under his Hand; having given such a tast to the World, of his Abilities in Writing and Collecting other Mens Senses, that it is to be doubted, whether he has yet well Collected his own: Whose Collection, as I never read, so have I never received any account of the Contents of it; nor did any Person ever require a Certificate from me, or my Judgment of that Collection, or the Sermons said to be in it; nor did I ever give any Certificate, or my Judgment to any Person unrequired. This is all I know of the matter, or the Gentleman's Collection. It may be a faithful one for ought I know, but certainly he has not taken the best method to Assert the Reputation of it, or his Own; since he must give leave with them, who are as ignorant of his Person and Collection, as I am to suspect, that he who can find a Certificate in *Dublin* that never was Written, may find a Sermon in *London* that never was Printed. This, Sir, I thought was due as a Return to yours, which I kindly resent; and request you to believe that I am,

Sir,

March 11.

1689.

Your faithful Friend and humble Servant,

For the Reverend

Dr. Wil. King.

These

Nath. Foy.

(N. 30) Co

(N.30.) *Colonel Luttrell's ORDER for Nambring  
of Protestants.*

**W**Hereas it is his Majesties desire to know the Names of all the Protestant Subjects and Dissenters: I do in his Majesties Name Require and Order you, all the Ministers and Curates of the severall Parishes and Cures of this City and Liberties, to bring me fairly Written, the Names of the said Protestants and Dissenters, in a Book made for that purpose, that are in their severall Parishes or Cures: Declaring, That it is his Majesties Resolution, to Treat all such as will not pay Obedience to this Order, and enter in their Names by *Thursday* next ensuing the Date hereof, as Spies or Enemies. Dated this Third Day of *May*, 1690.

*They are to Return only all from the Age of Fifteen, to the Age of Eighty, that are of the Male kind, and not of the Female.*

By the Governor of *Dublin*,

To all the Curates and  
Ministers of the City,  
Liberty and Suburbs  
of the City of *Dublin*.

*Sym. Luttrell.*

*Incontrovertible*

(N.31) *Colonel Luttrell's Order, Forbidding above  
Five Protestants Meeting any where, &c.*

*By the Governour of Dublin, June 18. 1690.*

**W**Hereas severall Disaffected Persons of the Protestant Religion, are of late come to this City of *Dublin*, and some of them Arm'd with Swords, Pistols, and other Weapons, contrary to his Majesties express Commands by his Royal Proclamation, bearing Date the 20th day of *July*, 1689.

I. These

- I. These are therefore to Will and Require all Men whatsoever, of the Protestant Religion, now residing or being within the said City of *Dublin*, or within the Liberties of *St. Sepulchre Donnor*, or *Thomas-Court*, who are not House-keepers, or have not followed some lawful Vocation therein these Three Months past, to depart within Twenty four Hours after the Publication hereof, out of the said City and Liberties, and repair to their respective Habitations, or usual places of Abode in the Country, upon pain of Death, or Imprisonment, and to be farther proceeded against as Contemnners of his Majesties Royal Commands, and as Persons designing the Disturbance of the Publick Peace.
- II. And likewise, That all Protestants within the said City and Liberties, not being of his Majesties most Honourable Privy Council, nor in his Army, or actual Service, shall within the time aforesaid deliver up all their Arms, both Offensive and Defensive, and all their Ammunition, into his Majesties Stores in the said City, upon pain of Death.
- III. And that no Protestant whatsoever, do presume at his peril, to walk or go in the Streets, from Ten of the Clock at Night till Five in the Morning, nor at any time when there is an Alarum. In which case all such Persons are required for their Safety, and for the Security of the Publick, to keep within Doors till such an Alarum is over.
- IV. And Lastly, For the prevention of Riots and unlawful Assemblies, These are therefore to Will and Require all the said Protestants, that no greater number of them than Five shall Meet and converse at any time, either in any House within the said City or Liberties, over and above the Family of the House; or in the Streets and Fields, in or about the same, or elsewhere: Hereby declaring, That all Persons who shall offend against any Clause in this present Order, suffer Death, or such other Punishment, as a Court-Martial shall think fit.
- A
- Inch-bore

A Catalogue of some Books lately Printed for  
Robert Clavel, at the Peacock in S. Paul's Church-  
Yard.

**T**he State of the Protestants of Ireland under the Late King James's Go-  
vernment, in which their Carriage towards him is justified, and the  
absolute necessity of their endeavouring to be freed from his Government, and  
of submitting to their present Majesties is demonstrated. The Fourth Edition,  
with Additions.

A Defense of Pluralities, or holding Two Benefices with Cure of Souls, as  
now practised in the Church of England.

The Frauds of the Romish Monks and Priests set forth in Eight Letters,  
lately Written by a Gentleman in his Journey into Italy. The Third Edition,  
very fairly Printed.

Observations on a Journey to Naples, wherein the Frauds of Romish Monks  
and Priests are farther discovered: By the Author of the former Book.

Forms of Private Devotions for every Day in the Week, by a Method agree-  
able to the Liturgy: With Occasional Prayers, and an Office for the Holy  
Communion, and for the time of Sickness.

A Scholastical History of the primitive and general use of Liturgies in  
the Christian Church: Together with an Answer to David Clarkson's late  
Discourse of Liturgies: In Two Parts.

A Sermon Preached at the Consecration of the Right Reverend Father in  
GOD, the Lord Bishop of Lincoln, in Lambeth Chappel, Jan. 10. 1691.  
By William Stanly, D. D. Clerk of the Closet to her Majesty.

Roman Forgeries in the Councils, during the First four Centuries: To-  
gether with an Appendix concerning the Forgeries and Errors in the Annals of  
Baronius. By Thomas Combe, D. D. Dean of Durham.

An Historical Vindication of the Divine Right of Tithes; In Two Parts  
By the same Author.

L. Annae Flori Rerum Romanarum Epitome, interpretatione, & Notis  
Illustravit Anna Tanaquilli Fabri Filia, Jussu Christianissimi Regis, in athenis  
Serenissimi Delphini.

De Presbyteratu Dissertatio Quadripartita Presbyteratus Sacri Origines, Na-  
turam, Titulum, Officia & Ordines, ab ipsis Mundi primordiis usque ad Catho-  
licæ Ecclesiæ consummatam Plantationem complectens. In qua Hierarchiæ  
Episcopalis Jus divinum & Immutabile, ex Auctoritate Scripturarum Cano-  
nice expositum, & Ecclesiasticæ traditionis Suffragiis, breviter quidem, sed  
luculenter asseritur.

L E U S D E N's Greek Testament. The Fifth Edition.

F I N I S.



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